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RULE PROPOSAL  
HEALTH AND SENIOR SERVICE  
EMERGENCY MEDICAL SERVICES  
MOBILITY ASSISTANCE VEHICLE AND BASIC LIFE SUPPORT AMBULANCE  
SERVICES

Proposed New Rules: N.J.A.C. 8:40

Authorized By: Clifton R. Lacy, M.D., Commissioner, Department of Health and Senior Services (with approval of the Health Care Administration Board).

Authority: N.J.S.A. 26:2H-1 et seq. and 30:4D-6.4 and 6.6.

Calendar Reference: See Summary below for explanation of exception to the rulemaking calendar requirement.

Proposal Number: PRN 2003-142.

Submit written comments by July 18, 2003 to:

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The agency proposal follows:

#### Summary

The Department of Health and Senior Services is proposing the adoption of a new chapter , N.J.A.C. 8:40, Mobility Assistance Vehicle and

Basic Life Support Ambulance Services, which will replace the

recently (January 23, 2003)expired N.J.A.C. 8:40, Manual of Standards for Licensure

of Mobility Assistance Vehicle and Ambulance Services. The proposed new rules

will still pertain solely to the licensing, inspection and enforcement of mobility

assistance vehicle and basic life support ambulance services; however, all

references to transport ambulances (currently found at N.J.A.C. 8:40-2.4(e)

and (g) and 3.7(g), (g)1 and (g)2, and 8:40-5) have been omitted.

The licensing of transport ambulances was discontinued effective March 1, 1993;

currently, all basic life support transports are conducted by basic life

support ambulances. At the present time, there are only four licensed transport

ambulances remaining in New Jersey. Therefore, the Department is now putting

those four providers on notice that they shall have until December 31, 2003 to

either (1) upgrade their vehicles so as to qualify for licensure as basic life

support ambulances, (2) downgrade their licenses to those of mobility

assistance vehicles or (3) remove their vehicles from service and relinquish

their transport ambulance licenses.

The expired rules governing the operation of aero-medical services (currently known as helicopter ambulances) were found at N.J.A.C. 8:40-2.4(h) and 8:40-7. Since aero-medical services are advanced life support services, the rules governing their operation are being moved into the new rules at N.J.A.C. 8:41, Advanced Life Support Services: Mobile Intensive Care, Specialty Care Transport and Aero-Medical Services (the notice of proposal for which is published elsewhere in this issue of the New Jersey Register), so that the standards for all advanced life support services may be found in one place.

The proposed new rules incorporate much of the language found in the expired N.J.A.C. 8:40, but with numerous modifications, additions and exclusions. For example, all references to Emergency Medical Technicians-Defibrillation (at N.J.A.C. 8:40-2.3(c), (c)1i, (c)1ii and 6.19(b)) have been excluded in the proposed new rules, since the Department no longer issues EMT-D certifications. References to special staff (at existing N.J.A.C. 8:40-6.22) have also been excluded from the proposed new rules, being offered instead at proposed new rules N.J.A.C. 8:41 along with other language relating to specialty care transport services. "Staff" are now called "crewmembers," and "paramedics" are now called "EMTs-Paramedic." Therefore, even though the proposed new rules are said to be "similar" in language in the expired chapter, it should be noted that the citations are given as reference only. Almost none of the language in the proposed new rules is exactly as it appears in the expired chapter.

A highlight of the proposed new rules, subchapter by subchapter, follows:

#### Subchapter 1. Authority, Scope and Definitions

None of these sections are new, although each has been modified in some way from the language in the expired N.J.A.C. 8:40. N.J.A.C. 8:40-1.1, Authority, is similar to expired N.J.A.C. 8:40-2.1. N.J.A.C. 8:40-1.2, Scope and purpose, remains similar to expired N.J.A.C. 8:40-2.2, with the exception that all references to helicopter ambulances and transport ambulances have been omitted. N.J.A.C. 8:40-1.3, Definitions, while similar to the expired N.J.A.C. 8:40-1.1, has a significant number of new definitions. They are:

- Acute care hospital
- AHA CPR Guidelines
- Airplane
- ALS inter-facility transfer
- Automated external defibrillator/AED (taken from N.J.A.C. 8:41A-1.2)
- BLS inter-facility transfer
- Cardiac difibrillation (taken from N.J.A.C. 8:41A-1.2)
- Contaminated (taken from 29 C.F.R. 1910.1030(b))
- Contaminated sharps (taken from 29 C.F.R. 1910.1030(b))
- Controlled dangerous substance
- Conviction
- CPR certification
- Crewmember (replaces "staff")
- Crime

Department-initiated-out-of-service/DIOOS (replaces "out-of-service")  
Disorderly persons offense  
Emergency medical services  
EMT-Paramedic (made consistent with NREMT terminology)  
Emergency response (replaces "street EMS")  
Helicopter  
License or licensed  
MAV crewmember  
MAV technician  
Medical director  
Medical record  
Mobile intensive care unit (MICU)  
Mobility assistance vehicle (MAV)  
Non-volunteer basic life support agency  
Office of Emergency Management  
Office of Emergency Medical Services/OEMS  
PAT technician  
Patient care report  
Pediatric  
Petty disorderly persons offense  
Physician  
Pre-hospital (taken from N.J.A.C. 8:41A-1.2)  
Provider (replaces "licensee")  
Provider-initiated-out-of-service/PIOOS (replaces "out-of-service")  
Receiving health care facility  
Registered nurse  
Regulated medical waste  
Revocation or revoked  
Satellite emergency department  
Specialty care transport unit (SCTU)  
Untreated regulated medical waste  
Vehicle

In addition, certain definitions have been slightly modified. They are:

Certification  
EMT-Basic (modified so as to be consistent with National Registry Emergency Technician (NREMT) terminology)  
Patient (modified so as to be consistent with proposed N.J.A.C. 8:41)  
Volunteer first aid, rescue or ambulance squad (modified so as to clarify billing status)

Finally, a few definitions that exist in the expired version of N.J.A.C. 8:40A have not been included, since they do not appear anywhere in the body of the proposed new rules. They are:

Administrator  
Ambulance service  
Certificate of need  
Cleaning

Conditional vehicle permit

Disinfection

<<+FAR+>>

<<+FCC+>>

Helicopter ambulance service (moved to proposed new rules N.J.A.C. 8:41)

Inter-hospital care

International symbol of access for the handicapped

Licensee (replaced with "Provider")

Out-of-service (replaced with DIOOS and PIOOS)

Paramedic (replaced with EMT-Paramedic)

Payment for services

Pneumatic testing guide

Provide

Staff (replaced with "crewmember")

SAE Standard

Street EMS (replaced with "emergency response")

Finally, N.J.A.C. 8:40-1.4, Waivers, is similar to the expired N.J.A.C. 8:40-2.10; however, new language has been included at N.J.A.C. 8:40-1.4(c) and (d) so as to make this section consistent with similar sections in Chapters 40A, 41 and 41A.

## Subchapter 2. Licensure, Inspections and Audits

This subchapter, as its heading implies, addresses the issues of the licensure and inspection of mobility assistance vehicle and basic life support ambulance services. N.J.A.C. 8:40-2.1, Application for licensure, discusses the standards that an applicant for licensure must meet prior to the Department issuing a license to provide services. Much of the language mirrors that currently found in the expired N.J.A.C. 8:40-2.7 and 3.1, but some of the language is new. While most of the new language only serves to clarify the language taken from N.J.A.C. 8:40-2.7 and 3.1, one new provision is worthy of notice. Proposed N.J.A.C. 8:40-2.1(a)7 will require applicants to complete a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" as part of the application process. In light of recent events, the Department feels that it is prudent to more thoroughly review the background of potential providers in order to ensure the public health, safety and welfare. The New Jersey State Police will conduct this review for a nominal fee of \$15.00. The fee shall be paid by the applicant. As such, the Department will not be required to hire additional staff in order to accomplish this necessary criminal history review.

In addition, new language has been included at N.J.A.C. 8:40-2.1(a)2, making it clear that each provider must have a distinct principal place of business; post office box and mail drop numbers will no longer be accepted as an address for a provider's principal place of business. New language has also been incorporated at N.J.A.C. 8:40-2.1(a)3 and 4, as well as at 2.1(a)5i, 7i and ii, 8 and 2.1(c). This language has been included so as to make chapter 40 consistent with proposed chapter 41.

The Department has done away with six-month temporary provider permits and 45-

day conditional permits, currently found in the expired rules at N.J.A.C. 8:40-2.4(b), (c) and (i) and 2.8(a), (b) and (c). The inclusion of these permits did nothing to enhance the quality of services and, in fact, may have had a detrimental effect on the public health, safety and welfare. The Department has also omitted language set forth in the expired rules at N.J.A.C. 8:40-2.7(a), which required that applications for mobility assistance vehicle and basic life support ambulance licenses be filed between March 1 and October 31 of each year. The application process will now be open at all times throughout the year.

N.J.A.C. 8:40-2.2, Track record review, is a new section, which incorporates language from existing N.J.A.C. 8:40-3.1(c) and (d). The track record of a prospective provider has always been of concern to the Department, and the language in the proposed new rules simply works to expand on the language in the expired rules. A small amount of language has been borrowed from other Department regulations at N.J.A.C. 8:36-2.2(d) and (i).

N.J.A.C. 8:40-2.3, General licensing information, is also a new section which borrows much of its language from expired rules at N.J.A.C. 8:40-2.7, 2.8 and 2.9. This section includes information regarding the actual issuance of a license, such as the length of time that each license will be valid and the process for facilitating the licensure of new vehicles while in the field. Of note is the addition of a Certificate of Inspection, which shall be issued to existing providers who seek to license a new vehicle. A Certificate of Inspection shall be valid for 30 calendar days from the date of issue, and shall serve as authorization for operation of the vehicle while the provider is awaiting delivery by OEMS of the computer-generated vehicle license.

N.J.A.C. 8:40-2.4, Exemptions from licensing requirements, is similar to the expired N.J.A.C. 8:40-2.5, with the exception that the reference to mobility assistance vehicles at N.J.A.C. 8:40-2.4(a) has been omitted, since the New Jersey Highway Traffic Safety Act applies to volunteer ambulance, first aid and rescue squads, and not to mobility assistance vehicles. In addition, N.J.A.C. 8:40-2.4(b) has been modified to make it clear that areas of exclusive Federal jurisdiction shall not be considered "within the State of New Jersey" for the purposes of Chapter 40. Finally, language concerning the licensure of volunteer ambulance, first aid and rescue squads has not been included in the proposed new rules; however, volunteer squads are always welcome to request complimentary inspections of their vehicles for the purpose of determining compliance with the Department's rules.

N.J.A.C. 8:40-2.5, Licensure and administrative fees, is another new section, although the imposition of licensure and administrative fees is not new. This section incorporates much of the language found in the expired rules at N.J.A.C. 8:40-2.7, and serves to set forth the fees for initial provider licensing, initial vehicle licensing, renewals, changes of ownership interest and changes of trade names. As always, governmental entities such as municipalities and State agencies are exempt from paying licensure fees, but they are required to file all appropriate applications and to obtain all

necessary licenses.

Finally, N.J.A.C. 8:40-2.6, Vehicle inspections and provider audits, is fairly similar to existing language at N.J.A.C. 8:40-2.6 and 2.7. Of note is the omission of language which allowed Department staff to ride on a provider's vehicle while that vehicle is "in-service."

### Subchapter 3. General Administrative Requirements

This subchapter addresses the day-to-day administrative requirements of mobility assistance vehicle and basic life support ambulance providers.

N.J.A.C. 8:40-3.1, Administrator, is similar to the expired N.J.A.C.

8:40-3.2, which requires each provider to designate an administrator who is responsible for the daily operation of the service. N.J.A.C. 8:40-3.2,

Business locations, is similar to expired rules at N.J.A.C. 8:40-3.4, and discusses issues surrounding a provider's principal place of business and any satellite locations. Of note are differences at N.J.A.C. 8:40-3.2(a) and (b), which change the notification period for changes in the principal place of business or any satellite locations from 30 days to 14 days.

N.J.A.C. 8:40-3.3, Insurance coverage, which is similar to expired

N.J.A.C. 8:40-3.15, sets forth the minimum insurance requirements necessary

to obtain and maintain licensure. N.J.A.C. 8:40-3.4, Advertising

restrictions, is similar to expired N.J.A.C. 8:40-3.6, and advises providers as to any limitations and restrictions placed on their ability to advertise in

public telephone directories. N.J.A.C. 8:40-3.5, Standard operating

procedures manual, is similar to expired N.J.A.C. 8:40-3.3 and, as the

heading implies, sets forth the elements that must be contained in each

provider's manual of standard operating procedures. N.J.A.C. 8:40-3.6,

Patient care reports, is similar to expired N.J.A.C. 8:40-4.9 and 6.23.

The term "patient care report" replaces the term "call report" currently used in the expired chapter 40. Of note in this section is language at N.J.A.C.

8:40-3.6(a), which requires the preparation of a patient care report each time a crewmember makes physical or verbal contact with a patient. This differs from expired language, which requires the preparation of a report whenever a patient is transported. New language has been included at N.J.A.C. 8:40-3.6(c),

requiring crewmembers to make note on the patient care report anytime a patient refuses care, as well as at N.J.A.C. 8:40-3.6(e) and (f) regarding cancelled

calls and record retention requirements. Finally, new language is proposed at N.J.A.C. 8:40-3.6(e), prohibiting additions to the original patient care

report unless those changes are initialed and dated by the person making the change and the receiving health care facility is provided with a copy of the

changes. This language has been added to make chapter 40 consistent with chapter 41.

N.J.A.C. 8:40-3.7, Reportable events, is similar to expired N.J.A.C.

8:40-3.5, and sets forth those circumstances in which a provider must file a report with OEMS. Differences include reporting any accident reported to the police (as opposed to any motor vehicle accident), and any event that results in damage to patient medical records (as opposed to fires only). In addition, providers are now required to report to OEMS any instance where one of its

crewmembers has acted outside his or her approved scope of practice. Accidents are required to be reported on the form found at Appendix C, "Reportable Events." The form at Appendix C is designed to make clear to the provider the information that OEMS requires when reporting accidents and other reportable events. Required information varies from event to event, but may include police reports in addition to a written description of the particular reportable event.

N.J.A.C. 8:40-3.8, Personnel files, is similar to expired N.J.A.C. 8:40-3.8, with the exception that each provider is now required to keep a copy of a photo identification in each crewmember's file. The form prescribed by the Department for reporting "Reportable events" is included at Appendix C. It was designed to provide a ready format for providers to follow and contains provisions for reporting the necessary information under this section. All personnel files must be maintained at the provider's principal place of business and must be made available to Department staff upon demand.

N.J.A.C. 8:40-3.9, Maintenance of records, is similar to expired N.J.A.C. 8:40-3.9, and sets forth the length of time and the manner in which provider and patient records must be maintained.

N.J.A.C. 8:40-3.10, Biomedical equipment testing and maintenance, remains much the same as expired N.J.A.C. 8:40-3.17. This section sets forth the testing and maintenance requirements for biomedical equipment such as cardiac resuscitators, defibrillators and monitors, as well as pulse oximeters and automatic ventilators. Reference to incubators and specialized respirators have been omitted, and will now be included in chapter 41 along with other requirements for specialty care transport providers.

N.J.A.C. 8:40-3.11, Automated external defibrillator registration and reporting, is a new section, all of which has been borrowed from language that currently exists at N.J.A.C. 8:41A-2.1 and 4.1. One difference is that the requirement that a provider disclose the location of its defibrillators (at existing N.J.A.C. 8:41A-2.1(b)5) has not been included in these proposed new rules. Finally, N.J.A.C. 8:40-3.12, Vehicle PIOOS logs, is also a new addition, which requires all providers to keep a log that keeps track of any instances where a provider chooses to take one or more of its vehicles out of service.

#### Subchapter 4. General Crewmember, Equipment and Vehicle Requirements

This subchapter deals with issues that are more relevant to patient care.

N.J.A.C. 8:40-4.1, Minimum crewmember requirements, sets forth the basic standards required of every individual who serves on a mobility assistance vehicle or basic life support ambulance. Additional crewmember requirements are set forth in subchapters 5 and 6, as they specifically relate to mobility assistance vehicle or basic life support ambulance services. N.J.A.C. 8:40-4.2, Crewmember competency requirements, is a new section, which requires all crewmembers to have knowledge of certain basic skills such as how to operate any on-board equipment, how to safely operate the vehicle and how to use the communications equipment.

N.J.A.C. 8:40-4.3, Vehicle registration, is similar to expired N.J.A.C.

8:40-3.10(a) through (c), and simply points out that each vehicle used as an MAV or BLS ambulance must be properly registered with the New Jersey Division of Motor Vehicles. N.J.A.C. 8:40-4.4, Vehicle safety, is a new section, using language borrowed from expired N.J.A.C. 8:40-3.10. This section deals with such issues as the safe storage of equipment and supplies, the use of automotive safety belts and child restraint systems and the need for vehicles to be equipped with fire extinguishers and safety triangles and flashers.

N.J.A.C. 8:40-4.5, Vehicle sanitation, is similar to expired N.J.A.C. 8:40-3.14, and sets forth the basic standards for vehicle cleanliness, most particularly within the patient compartment of the vehicle. OSHA and PEOSHA regulations are cited in order to precisely delineate the standards to be followed for cleanliness and safety after the vehicle has been occupied by a patient known or suspected to have a communicable disease. N.J.A.C. 8:40-4.6, Vehicle heater/air conditioner, is similar to expired N.J.A.C. 8:40-3.12, and provides for minimum and maximum inside ambient patient compartment temperatures.

N.J.A.C. 8:40-4.7, Vehicle chassis, body and components, is much like expired N.J.A.C. 8:40-3.11. The language in this section deals with such issues as vehicle curb and payload weights, tire quality, seat standards and exterior paint and glazing. Specific language as to vehicle markings can be found in subchapters 5 and 6, as such specifically relates to MAVs and BLS ambulances. References to Federal Motor Vehicle Safety Standards is intended to help ensure the public safety and welfare. Safety benefits of FMVSS include up-to-date seat and seat belt safety specifications. N.J.A.C. 8:40-4.8, Vehicle carbon monoxide concentrations, is similar to expired N.J.A.C. 8:40-3.13, with the exception of the addition of language addressing diesel exhaust at N.J.A.C. 8:40-4.8(a). N.J.A.C. 8:40-4.8 differs from expired N.J.A.C. 8:40-3.13 in that it does not contain language regarding specific carbon monoxide concentrations and the testing of the patient compartment for carbon monoxide.

N.J.A.C. 8:40-4.9, Pneumatic testing, is similar to expired N.J.A.C. 8:40-3.16(a), (c), (d) and (f). N.J.A.C. 8:40-4.10, Physical behavioral restraints, is similar to expired N.J.A.C. 8:40-3.18. Differences are apparent at N.J.A.C. 8:40-4.10(c), where language has been added regarding the monitoring of a patient's airway while he or she is in restraints, and a specific prohibition against placing any patient face-down on a stretcher while he or she is in restraints. Also of note is language at N.J.A.C. 8:40-4.11(a)1 regarding a crewmember's ability to remove him or herself from a situation when that crewmember believes that his or her personal safety is at risk, as well as language at N.J.A.C. 8:40-4.11(b) prohibiting the carrying by crewmembers of such defensive weapons as pepper spray and mace. Finally, N.J.A.C. 8:40-4.12, Guide dogs, is new, and has been added to address the New Jersey Law Against Discrimination.

Subchapter 5. Specific Mobility Assistance Vehicle Service Requirements

As its heading implies, this subchapter deals with issues of specific relevance to mobility assistance vehicle service providers. N.J.A.C. 8:40-



5.1, Scope and purpose, is new and fairly self-explanatory. N.J.A.C. 8:40-5.2, Patient restrictions, is similar in content to existing N.J.A.C. 8:40-4.1. This section clarifies the types of services that an MAV may be used to provide, and the physical restrictions concerning the types of patients that may be served. Of note is language at N.J.A.C. 8:40-5.2(d), which limits to nine the number of patients that may be transported in an MAV at any one time. Also new is language at N.J.A.C. 8:40-5.2(f), which provides that MAVs may be used to provide non-health care services when the vehicle is not "in-service" as an MAV. The removal of JEMS frequencies from authorized use by MAVs is intended to streamline the frequencies used for communication, making coordination of emergency response services more efficient in the event of a large scale disaster.

N.J.A.C. 8:40-5.3, Required crewmembers, is similar to expired N.J.A.C. 8:40-3.7(f), and sets forth the training and certification requirements for persons wishing to staff an MAV. Of interest is new language at N.J.A.C. 8:40-5.3(b)3, which provides for an additional venue of crewmember training. Currently, the Department only recognizes those persons who have received Passenger Assistance Technique (PAT) Technician certification as issued by the Transportation Management Associates of Fort Worth, Texas. Upon the adoption of the proposed new rules, the Department will recognize certifications issued by other organizations and entities, so long as the training provided by those organizations or entities meets certain minimum standards. The standards are set forth in Chapter 8:40, Appendix B. Patient Assistance and Mobility Assistance Vehicle Technician training shall be at least eight hours in length and cover such areas as wheelchair operation and use, safe driving techniques and proper utilization of body mechanics when lifting patients. Appendix B also requires that a skills evaluation be given at the end of the course. The skills evaluation will be one way that the instructor will know whether the student has mastered the course content. Crewmembers trained in cardiopulmonary resuscitation (CPR) means crewmembers who are trained in CPR to American Heart Association standards, either by the American Heart Association (AHA) or another organization that provides CPR training to AHA standards, as determined by the Department. In addition, all emergency ambulance and mobility assistance vehicle crewmembers shall be certified in CPR training. "CPR certification" means valid certification in cardiopulmonary resuscitation to the level of the Professional Rescuer or Health Care Provider as issued by the American Heart Association, the American Red Cross, the National Safety Council or other entity determined by the Department to comply with AHA CPR Guidelines. AHA CPR Guidelines are the universally accepted standard in the industry. By accepting the AHA CPR Guidelines for training purposes, the Department seeks to ensure that licensees under these rules who deliver CPR services to patients are doing so following safe and prudent techniques, including, but not limited to, techniques for performing airway clearance and chest compressions appropriate to the patient.

N.J.A.C. 8:40-5.4, Crewmember duties, is similar to expired N.J.A.C. 8:40-4.8 and, obviously, sets forth the duties that are expected of those

persons staffing an MAV. None of the duties listed are new, with the exception of the requirement that MAV crewmembers complete a patient care report. Language regarding child restraint systems has been amended to comply with new safety laws enacted at N.J.S.A. 39:3-76.2. N.J.A.C. 8:40-5.5, Oxygen administration, is similar to expired N.J.A.C. 8:40-4.7, except that N.J.A.C. 8:40-5.5(b) differs in that MAVs are now required to be equipped with a CPR mask with a one-way valve. N.J.A.C. 8:40-5.6, Patient transport devices, mimics language currently found at expired N.J.A.C. 8:40-4.2(f) and 4.6. Of note is the addition of the requirement that wheelchair restraint systems be of the four-point forward facing type, and the omission of language regarding rear wheel lock (cam lock) wheelchair restraint systems. N.J.A.C. 8:40-5.7, Ramps and lifts, is similar to expired N.J.A.C. 8:40-4.3, with the omission of the requirement of a seatbelt interlock device on lifts and the addition of language at N.J.A.C. 8:40-5.7(a) requiring vehicles to be equipped with operable ramps or fully automatic lifts. N.J.A.C. 8:40-5.8, Patient compartment requirements, is similar to expired N.J.A.C. 8:40-4.2. New language has been included at N.J.A.C. 8:40-5.7(b) 2, requiring all aisles to be maintained at a width of at least 30 inches whenever transporting a wheelchair-bound patient. All references to exclusions for vehicles licensed prior to March of 1993 have been omitted; any exclusions already granted to such vehicles shall continue to remain in effect. N.J.A.C. 8:40-5.9, Vehicle markings and emergency warning devices, is similar to expired N.J.A.C. 8:40-4.4 and 4.5. One difference may be found at N.J.A.C. 8:40-5.9(b), where the words "clearly visible" have been added. In addition, all exclusions for vehicles licensed prior to March of 1992 have been omitted; any exclusions already granted to such vehicles shall continue to remain in effect. N.J.A.C. 8:40-5.10, Two-way communications, remains similar to expired N.J.A.C. 8:40-4.10, with the main difference being the recognition of forms of communications other than just radio communications. Of note is the omission of language allowing MAVs to utilize JEMS radios. All authorized radio frequencies are contained at Appendix A. Frequencies are assigned by county and DTMF numbers.

#### Subchapter 6. Specific Basic Life Support Ambulance Service Requirements

As with Subchapter 5, as its heading implies, this subchapter deals with issues of specific relevance to basic life support ambulance service providers. N.J.A.C. 8:40-6.1, Scope and purpose, is new and fairly self-explanatory. N.J.A.C. 8:40-6.1(b) has been borrowed from existing N.J.A.C. 8:40-2.4(a). N.J.A.C. 8:40-6.2, Patient restrictions, is similar in content to expired N.J.A.C. 8:40-6.1. This section clarifies the types of services that a BLS ambulance may provide, and the types of patients that may be served. Of note is language at N.J.A.C. 8:40-6.2(b), which strictly prohibits BLS ambulances from being utilized to perform advanced life support inter-facility transfers, or from providing pre-hospital advanced life support unless they are "in-service" as a MICU or SCTU. N.J.A.C. 8:40-6.2 also differs from N.J.A.C. 8:40-6.1 in that it does not allow BLS ambulances to be used as MAVs. As such, wheelchairs will no longer be allowed on basic life

support ambulances, and all references at expired N.J.A.C. 8:40-6.2(f) and 6.5 have been excluded in the proposed new rules for BLS ambulances.

N.J.A.C. 8:40-6.3, Required crewmembers, is similar to expired N.J.A.C. 8:40-3.7(h), and sets forth the training and certification requirements for persons staffing a BLS ambulance. Consistent with current rules, each BLS ambulance must be staffed with at least two validly certified Emergency Medical Technicians-Basic. Individuals who possess provisional EMT-Basic certification may ride on the BLS ambulance as a third crewmember, but they may not take the place of either one of the two required certified EMTs-Basic. The reference to one of the members being a certified EMT-Defibrillation has not been included in the proposed new rules, since defibrillation training is now included as part of the certification process for EMTs-Basic.

N.J.A.C. 8:40-6.4, Crewmember duties, is similar to expired N.J.A.C. 8:40-6.21 and, obviously, sets forth the duties that are expected of the EMTs-Basic who staff a BLS ambulance. None of the duties listed are new, with the exception of the requirement that BLS ambulance crewmembers must assure that all required and necessary equipment and supplies are onboard the vehicle and in working order prior to departure. Language regarding child restraint systems has been amended to comply with new safety laws enacted at N.J.S.A. 39:3-76.2.

N.J.A.C. 8:40-6.5, Basic equipment and supplies, has been borrowed in large part from expired N.J.A.C. 8:40-6.19. Minor differences are apparent at N.J.A.C. 8:40-6.5(a)4, 5, 9, 10 and 12vii. Personal protective equipment shall only be considered appropriate if it meets the criteria established by 29 C.F.R. 1910.1030(d) et seq. for private equipment. This criteria requires that acceptable personal protective equipment not permit blood or other potentially infectious materials to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Trauma or bandage scissors have been added at N.J.A.C. 8:40-6.5(a)12ix. Language at expired N.J.A.C. 8:40-6.18 regarding poison treatment supplies has not been included in the proposed new rules. Finally, language had been included at N.J.A.C. 8:40-6.5(c), requesting that providers equip their vehicles with latex-free equipment and supplies in order to accommodate those patients that may have latex allergies. N.J.A.C. 8:40-6.6, Oxygen administration, is similar to expired N.J.A.C. 8:40-3.16 and 6.11. However, the proposed new rule differs slightly in that N.J.A.C. 8:40-6.6(a) requires BLS ambulances to carry a reserve oxygen cylinder. New language has also been added at N.J.A.C. 8:40-6.6(a)3iii, requiring each oxygen cylinder to be contained in a U.S. Department of Transportation approved cylinder. At N.J.A.C. 8:40-6.6(a)4, safety requires that all installed oxygen cylinders shall be retained in an oxygen tank holder which complies with AMD Standard 003 Oxygen Tank Retention System. It should be noted that AMD standards form the basis for Federal safety standards, which may be found in the Federal Specifications for Ambulances, KKK-A-1822, "Portable Oxygen Unit."

Federal Specifications for Ambulances, KKK-A-1822, prescribe a wide range of standards for ambulances, covering such matters including, but not limited to, on board aspiration machines and trash receptacles. The Department has determined that following the Federal Specifications will benefit providers as manufacturers already build vehicles to these specifications, and will benefit the public by following well-established safety guidelines in the industry. New language is also contained at N.J.A.C. 8:40-6.6(b)ii, which carefully specifies oxygen administration standards for pediatric patients.

N.J.A.C. 8:40-6.7, Aspirator/suction equipment, is primarily the same as expired N.J.A.C. 8:40-3.16. Minor differences include language at N.J.A.C. 8:40-6.7(a)1, requiring that the aspirator be equipped with an infant bulb syringe, in addition to the syringe carried in the required obstetrical kit. Language also differs at N.J.A.C. 8:40-6.7(a)3, where the aspirator flow rate has been reduced from 30 liters per minute (lpm) to 25 lpm. N.J.A.C. 8:40-6.8, Patient transport devices, mimics language currently found at expired N.J.A.C. 8:40-6.9. Of note is the exclusion of language at N.J.A.C. 8:40-6.8(a)2 regarding orthopedic stretchers and the exclusion of references to special patient transport devices, which relate to transports that will now be conducted in specialty care transport units.

N.J.A.C. 8:40-6.9, Spine boards, orthopedic litter and splints, is similar to expired N.J.A.C. 8:40-6.15. Differences from the existing language include a reduction at N.J.A.C. 8:40-6.9(a)1, from 18 to 16 inches, of the width size of required long spine boards. In addition, the requirement that long spine boards be made of wood has been changed to reflect that such boards should be constructed of an impervious, inflexible material. Language at N.J.A.C. 8:40-6.9(a)2 also differs in that vest-type upper spinal immobilization devices are now required in addition to the long spine board required at N.J.A.C. 8:40-6.9(a)1. The proposed new rule has also done away with the requirement that a BLS ambulance be equipped with external cardiac compression support, which is currently required by N.J.A.C. 8:40-6.14. Finally, N.J.A.C. 8:40-6.9(a)5 recognizes the presence of pediatric patients and, as such, requires each BLS ambulance to be equipped with at least one rigid cervical collar for use by pediatric patients.

N.J.A.C. 8:40-6.10, Patient compartment requirements, is similar to expired N.J.A.C. 8:40-6.2 and 6.3. New language has been included at N.J.A.C. 8:40-6.10(a), where the word "distinct" had been included, to ensure that the patient compartment is, in fact, separate from the driver's compartment. Language has also been included at N.J.A.C. 8:40-6.10(c)1, which prohibits the two required patient compartment doorways from being placed adjacent to one another, and at N.J.A.C. 8:40-6.10(c)3, which requires that at least one patient compartment doorway is available for use as an emergency exit at all times. N.J.A.C. 8:40-6.11, Vehicle certification to Federal specifications, is similar to expired N.J.A.C. 8:40-6.4. The only difference is that trash receptacles are now required in all BLS ambulances, consistent with Federal Specifications for Ambulances, KKK-A-1822.

N.J.A.C. 8:40-6.12, Vehicle markings and emergency warning devices, is

similar to expired N.J.A.C. 8:40-6.6 and 6.7. However, all exclusions for vehicles licensed prior to March of 1992 have been omitted; any exclusions already granted to such vehicles shall continue to remain in effect.

N.J.A.C. 8:40-6.13, Two-way communications, has been notably changed from language in expired N.J.A.C. 8:40-6.24. A close review of the two sections is recommended for all persons concerned with vehicle communications.

N.J.A.C. 8:40-6.14, Disaster planning, remains substantially similar to language at expired N.J.A.C. 8:40-6.26.

N.J.A.C. 8:40-6.15, Additional requirements for BLS ambulances providing emergency response, incorporates language from expired N.J.A.C. 8:40-2.3 and 6.20 and from N.J.A.C. 8:41A-3.1. This section recognizes the unique nature of those vehicles that provide emergency services, most often in response to 9-1-1 emergency calls. BLS ambulance service providers that use their BLS ambulances to provide emergency response will be required to utilize the services of a Medical Director, whose purpose will be to provide medical consultation as needed and to provide quality assurance oversight. N.J.A.C. 8:40-6.15 also lists the additional equipment and supplies that BLS ambulances providing emergency response must carry. Most, if not all, of the equipment and supplies listed are already carried on BLS emergency response vehicles. Finally, this section requires that BLS emergency response providers file quarterly reports with OEMS concerning their emergency response activities for each quarter of the year. These quarterly reports are to be made on forms created by the Department, and set forth in Appendix D. OEMS will be keeping the data on file at its offices and such information shall be available for public review.

#### Subchapter 7. Scope of Practice, Enforcement Actions and Hearings

N.J.A.C. 8:40-7.1, Scope of practice for EMTs-Basic, is new, and has been included in the MAV and BLS ambulance licensing chapter as a convenience so that providers need not reference back to Chapter 40A in order to access information relevant to the scope of practice of their crewmembers. The language contained in N.J.A.C. 8:40-7.1 is identical to that found in Chapter 40A, a notice of proposal for which is published elsewhere in this issue of the New Jersey Register.

N.J.A.C. 8:40-7.2, Enforcement actions, is a compilation of language currently found in the expired N.J.A.C. 8:40-2.13 and 2.14, 8:41-2.7 and 4.18. This section sets forth the process involved when a provider's vehicle is placed "out-of-service" by Department staff, as well as the process for summarily suspending a provider's license when the continued operation of the service poses an immediate or serious threat to the public health, safety or welfare. This section also sets forth the fee schedule that may be imposed if a provider is found to be in violation of any of the rules set forth in Chapter 40. While some penalties have remained the same, it should be noted that other penalties (at N.J.A.C. 8:40-7.2(e)3, 4 and 5) have been increased from \$500.00 per violation/per day to \$1,000 per violation/per day.

N.J.A.C. 8:40-7.3, Hearings, greatly expands on the language currently set forth in the expired N.J.A.C. 8:40-2.15. As always, hearings are provided

when the Department proposes to suspend or revoke a provider's license. In addition, however, hearing rights have now been granted when the Department proposes to issue a formal written warning as well. The language dealing with summary suspensions has been greatly expanded, and provides for emergency relief by way of an administrative hearing within a 10-day time frame. Finally, N.J.A.C. 8:40-7.4, Action against an unlicensed entity, a subject briefly mentioned at expired N.J.A.C. 8:40-2.4(a), has been greatly expanded in the proposed new rules. This section is intended to give the Department the ability to take enforcement actions against those individuals who operate unlicensed MAV or BLS ambulance services. Clearly, this section would not apply to those volunteer ambulance, first aid and rescue squads that are exempt from licensure pursuant to the New Jersey Highway Traffic Safety Act. As the Department has provided for a 60-day comment period for its rule proposals, this notice of proposal is exempt from the calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

#### Social Impact

The proposed new rules seek to protect the public health, safety and welfare by setting forth uniform standards for all mobility assistance vehicle services and non-volunteer basic life support ambulance services. There is no doubt that the promulgation of these rules will have a positive impact on the citizens and visitors to New Jersey.

The standards set will assure that the highest quality of care will be provided to all. The providers of these services will benefit from having up-to-date standards in effect and they will know that all competitors for their services will be held to the same standard. While the cost of these standards will impact on the providers, the absence of regulations would impose a huge negative impact on the quality of care provided to every citizen and visitor to the State.

#### Economic Impact

The proposed new rules will not have a significant economic impact on the regulated community relevant to the economic impact of the expired rules. The expired rules and the proposed rules both impose many requirements upon Basic Life Support (BLS) and Mobility Assistance Vehicle (MAV) service providers. These requirements include carrying items on board such as resuscitation equipment, splints, bandages, and other emergency medical supplies needed to properly care for sick and/or injured patients. These requirements, however, make up the accepted standards in the industry as adjusted from time to time due to improvements in knowledge and innovations in medical science and technology. They are part of the cost of doing business, and of ensuring that licensees provide state of the art care and service for the benefit of the public health, safety and welfare. The proposed rules contain provisions which increase certain fees, however, and the Department considers the increases to be both necessary to offset the costs of protecting the public and minor relative to other expenses in the industry, such as labor, fuel and vehicle

maintenance costs. Finally, the Department stresses that the fee increases are merely incremental and well under the \$4,000 cap provided by law for initial licensure.

The fee increases for initial licensure affect only those providers who apply for licenses permitting them to render multiple levels of service to the public, such as both BLS (ambulance) and MAV (patient transport) licenses. A provider who seeks to provide only one level of service will not pay more for initial licensure expenses under the proposed rules than the same provider would have paid under the expired rules. The difference in fee structure between the expired rules and the proposed rules is under the expired rules a provider seeking a license to provide both BLS and MAV services would not pay a fee for the second license, whereas under the proposed rules a provider seeking a license to provide both BLS and MAV services would pay a fee that is the sum of the cost of each license independently. For example, the fee to become a licensed provider of BLS and MAV services under the expired rules was \$1,500 plus \$100.00 per licensable vehicle (the fee for the second license was not charged). Under the proposed rules, the fee to become a licensed BLS and MAV service provider would be \$3,000 plus \$100.00 per licensable vehicle (the fee for the second license is added to the first). This new fee structure is necessary to offset the increasing cost of the initial investigation, inspection and licensing process, and it reflects the dual licensure status of the successful applicant, who can now recoup this expense from the revenue generated by the ability to provide and bill for additional services. Similarly, the relicensure fee structure parallels the initial licensure fee structure. Under the expired rules, the provider with dual licensure status was not charged a separate relicensure fee for the second license. Under the proposed rules, the provider with dual licensure status will be charged a separate licensure fee for the second license. It is noteworthy that the Department has retained the prior even/odd year fee structure from the expired rules. This means that with respect to initial licensure, providers whose names begin with A through L will pay \$1,500 in odd number years and \$1,250 in even number years. Accordingly, M through Z companies will pay \$1,500 in even number years and \$1,250 in odd number years. Corresponding fees for providers seeking licenses to provide both BLS and MAV services would be \$2,500 for A through L providers even number years and \$2,500 for M through Z providers in odd number years. There are approximately 360 providers currently licensed to provide either BLS or MAV services, and of those approximately 80 hold licenses to provide both levels of service. If new applications for licenses continue to be received in those proportions, it is estimated that the new fee structure will affect approximately 22 percent of providers licensed under the proposed rules.

Proposed N.J.A.C. 8:40-2.1(a)7 will require applicants to complete a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" form as part of the application process. This will pose a minor economic burden on applicants for certification. The Department finds, however, that this minor burden is outweighed by the public's compelling interest in thorough background investigations of potential licensees in order to protect

the public health, safety and welfare.

There has been an increase in certain financial penalties. Under the proposed rules, penalties for noncompliance have increased from \$500.00 to \$1,000 at N.J.A.C. 8:40-7.2(e)3, 4 and 5. It should be noted that these increases are for violations of a serious nature that directly impact the public health, safety and welfare. Although penalties have increased, they should not be considered to be part of the cost of obtaining or maintaining licensure. A provider can avoid incurring penalties by remaining in compliance with the proposed regulations. By offering technical assistance to providers and increasing the above cited penalties, the Department hopes to decrease the amount of violations that occur which jeopardize the public health, safety and welfare.

#### Federal Standards Statement

These rules are not being proposed pursuant to, or in order to implement, comply with or participate in any program established under Federal law or any State law incorporating or referring to Federal requirements.

#### Jobs Impact

The proposed rules governing the licensure and operation of mobility assistance vehicle and ambulance services are not expected to have any impact on the gain or loss of jobs in the regulated industry or elsewhere in the New Jersey economy.

#### Agriculture Industry Impact

The proposed new rules will not have an impact on the State's agriculture industry.

#### Regulatory Flexibility Analysis

The proposed rules are expected to impact on approximately 350 companies and sole proprietorships, approximately 320 of which are small businesses as defined by N.J.S.A. 52:14B-17. The proposed rules require emergency ambulance providers to staff their ambulances with EMTs to maintain emergency response vehicles in good mechanical condition, and to comply with safety measures ranging from positive latches on internal supply drawers to carrying the correct length and diameter of clear hose for suction delivery. Providers are required to maintain vehicle run sheets, patient care reports, and vehicle maintenance records, and to make these available to OEMS staff for inspection. No additional professional staff are anticipated to be required. It is estimated that the initial compliance costs and the annual compliance costs will be the same for both large and small businesses, and that both sets of expenses will not be significantly increased as a direct result of the proposed regulations. Similarly, there are no recordkeeping or reporting requirements under the proposed rules that increase recordkeeping or reporting expenses which must be met by small businesses.

The Department has considered many approaches to regulation which would



conceivably reduce the burden of compliance on small businesses in this industry, however close scrutiny reveals that to relax compliance requirements for small business providers is tantamount to denying the public the equal protection of law. For example, if small businesses are allowed to operate with ambulances that secure oxygen tanks with velcro straps, while large businesses are still required to secure oxygen tanks with more expensive non-velcro (usually nylon webbing or metal straps), all members of the public are not equally protected from moving oxygen tanks in the event of a motor vehicle accident on the way to the hospital. The Department finds that exempting small businesses from certain compliance requirements would similarly expose the public to unnecessary health and safety risks.

#### Smart Growth Impact

The proposed new rules shall not have an impact on the achievement of smart growth and the implementation of the State Development and Redevelopment Plan.

Full text of the proposed new rules follows:

<<+CHAPTER 40+>>

<<+MOBILITY ASSISTANCE VEHICLE AND BASIC LIFE SUPPORT  
AMBULANCE SERVICES+>>

<<+SUBCHAPTER 1. AUTHORITY, SCOPE AND DEFINITIONS+>>

<< NJ ADC 8:40-1.1 >>

<<+8:40-1.1 Authority+>>

<<+These rules are promulgated pursuant to N.J.S.A. 26:2H-1 et seq. and 30:4D-6.4 and 6.6, which authorize the Commissioner to adopt rules pertaining to the operation of services providing, or seeking to provide, mobility assistance or basic life support care.+>>

<< NJ ADC 8:40-1.2 >>

<<+8:40-1.2 Scope and purpose+>>

<<+(a) These rules shall apply to any person, public or private institution, agency, entity, corporation, acute care hospital and/or business concern that operates, or seeks to operate, a mobility assistance vehicle or non-volunteer basic life support ambulance service within the State of New Jersey. These rules serve to define the operational requirements of these services, to provide for a uniform application of standards, and to specify the personnel, equipment, organization and other resources required to successfully operate such services.+>>

<<+(b) N.J.A.C. 8:40-1 through 5 and 7 shall apply to MAV services.+>>

<<+(c) N.J.A.C. 8:40-1 through 4, 6 and 7 shall apply to basic life support ambulance services.+>>

<< NJ ADC 8:40-1.3 >>

<<+8:40-1.3 Definitions+>>

<<+The following words and terms, as utilized in this chapter, shall have the following meanings, unless the context in which they are utilized clearly indicates otherwise.+>>

<<+"Acute care hospital" means any hospital, validly licensed by the Department, which maintains and operates organized facilities and services for the diagnosis, treatment or care of persons suffering from acute illness, injury or deformity and in which all diagnoses, treatment and care are administered by or performed under the direction of persons who, in accordance with N.J.S.A. 45:9-6, are validly licensed to practice medicine and surgery by the New Jersey State Board of Medical Examiners.+>>

<<+"Advanced life support" or "ALS" means an advanced level of pre-hospital, inter-facility or emergency medical care that includes basic life support functions, cardiac monitoring, cardiac defibrillation, telemetered electrocardiography, administration of anti-arrhythmic agents, intravenous (IV) therapy, administration of specific medications, drugs and solutions, utilization of adjunctive ventilation devices, trauma care and other techniques and procedures authorized in writing by the Commissioner.+>>

<<+"Advanced practice nurse" means a person who is validly licensed by the New Jersey Board of Nursing in accordance with the standards set forth at N.J.S.A. 45:11-45 et seq.+>>

<<+"Advertising" means any information directly or indirectly issued, distributed, hand-delivered or implied through any medium and utilized for the purpose of promoting the service of a provider.+>>

<<+"Aero-medical unit" or "AMU" means a specially equipped helicopter or airplane that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.+>>

<<+"AHA CPR Guidelines" means the "Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care" as published by the American Heart Association, National Center, 7272 Greenville Avenue, Dallas, TX 75231-4596, incorporated herein by reference, as amended and supplemented. A copy of the guidelines is on file and available for inspection at the Office of Emergency Medical Services.+>>

<<+"Airplane" means, as defined at 14 C.F.R. 1.1, an engine-driven fixed-wing aircraft heavier than air, which is supported in flight by the dynamic reaction of the air against its wings.+>>

<<+"ALS inter-facility transfer" means the transportation of a patient in need of advanced life support care from one acute care hospital to another or from an acute care hospital to a nursing home or rehabilitation facility via a specialty care transport unit or aero-medical unit. Mobile intensive care units shall not be utilized to perform ALS inter-facility transfers.+>>

<<+"AMD Standard" means the standards and amendments thereto published by the Ambulance Manufacturers Division of the Truck Body and Equipment Association, as reported by the Federal Specification for the Star-of-Life Ambulance, KKK-A-1822E, Edition E, June 1, 2002. Copies of the standards may be obtained from the General Services Administration, Centralized Mailing List Service (7CAFL), P.O. Box 6477, Fort Worth, Texas, 76115.+>>

<<+"Automated external defibrillator" or "AED" means a device that can be attached to a patient in cardiopulmonary arrest, analyze an electrocardiogram for the presence of potentially lethal dysrhythmias (specifically, ventricular fibrillation and fast ventricular

tachycardia), deliver an electrical defibrillation to the patient in accordance with the requirements of standard treatment protocols, and produce an event summary that documents significant events in the utilization of the device, specifically events prior to and after an electrical defibrillation.+>>>

<<+"Available" means ready for immediate utilization (pertaining to equipment, vehicles and personnel) or immediately accessible (pertaining to records).+>>>

<<+"Basic life support" or "BLS" means a basic level of pre-hospital care that includes patient stabilization, airway clearance and maintenance, cardiopulmonary resuscitation (CPR) (to the level of the Professional Rescuer or Health Care Provider as issued by either the American Heart Association, the American Red Cross, the National Safety Council or other entity determined by the Department to comply with AHA CPR Guidelines), hemorrhage control, initial wound care, fracture stabilization, victim extrication and other techniques and procedures as defined in the United States Department of Transportation (U.S.D.O.T.) EMT-Basic National Standards Curriculum (obtainable from The National Highway Traffic Safety Administration, 400 7th Street S.W., Washington, D.C., 20590, by accessing their website at [www.nhtsa.dot.gov/people/injury/ems](http://www.nhtsa.dot.gov/people/injury/ems) or by calling (888) 327-4236).+>>>

<<+"Basic life support ambulance" or "BLS ambulance" means an emergency medical services vehicle that is validly licensed by the Department and operated in accordance with the standards set forth in this chapter.+>>>

<<+"Basic life support ambulance service" or "BLS ambulance service" means an entity that is validly licensed by the Department to provide pre-hospital basic life support care and/or BLS inter-facility transfers.+>>>

<<+"BLS inter-facility transfer" means the transportation of a patient not in need of advanced life support care from one health care facility to another via a basic life support ambulance.+>>>

<<+"Cardiac defibrillation" means the discharge of electrical current through the fibrillating myocardium for the purpose of restoring a perfusing cardiac rhythm.+>>>

<<+"Certified" or "certification" means official documentation that a person has completed all the requirements of an approved training program and has demonstrated competence in the subject matter to the satisfaction of the certifying agency.+>>>

<<+"Commissioner" means the Commissioner of the New Jersey Department of Health and Senior Services.+>>>

<<+"Communicable disease" means an illness due to a specific infectious agent or its toxic products, specifically including, but not limited to, those pathogens defined in the Federal bloodborne pathogen standards found at 29 C.F.R. 1910.1030(b), and which occurs through transmission of that agent or its toxic products from a reservoir to a susceptible host.+>>>

<<+"Contaminated" means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.+>>>

<<+"Controlled dangerous substance" means a drug, substance or immediate precursor identified in Schedules I through V of the New Jersey Controlled Dangerous Substances Act (N.J.S.A. 24:21-5 through 24:21-8.1). The term shall not include distilled spirits, wine or malt beverages, as those terms are defined or utilized in N.J.S.A. 33:1-1 et seq., or tobacco and tobacco products.+>>>

<<+"Convicted" or "conviction" means a finding of guilt by a judge or jury, a guilty plea,

a plea of nolo contendere or non-vult or entry into a pre-trial intervention program, or other diversionary program authorized under the statutes of the State of New Jersey or under any other state's statutes.+>>

<<+"CPR certification" means valid certification in cardiopulmonary resuscitation to the level of the Professional Rescuer or Health Care Provider as issued by the American Heart Association, the American Red Cross, the National Safety Council or other entity determined by the Department to comply with AHA CPR Guidelines.+>>

<<+"Crashworthy" means that all supplies, equipment, oxygen systems, patient litters and wheelchairs carried on the vehicle shall remain firmly in place and shall not present a hazard to any vehicle occupant in the event of an accident or sudden change in vehicle speed or direction. Crashworthy retention systems shall not incorporate rubber straps, "shock cords" or Velcro [FN®]-type closures. Crashworthy retention systems for some items are covered by specific Federal standards. The Department's test for crashworthiness of other retention systems is whether the item can be removed from place without unlatching or unbuckling the retention system.+>>

<<+"Crewmember" means any person (including, but not limited to a PAT Technician, MAV Technician or EMT-Basic) who staffs a mobility assistance vehicle or basic life support ambulance.+>>

<<+"Crime" means, in accordance with the New Jersey Code of Criminal Justice, specifically N.J.S.A. 2C:1-4, any offense for which a sentence of imprisonment in excess of six months is authorized.+>>

<<+"Department" means the New Jersey Department of Health and Senior Services.+>>

<<+"Department-Initiated-Out-of-Service" or "DIOOS" means the immediate removal from service of a vehicle by Department staff, such that the vehicle may not be utilized for the provision of any basic and/or advanced life support care. Vehicles removed from service in this manner shall be identified by the placement of an official Department "Out-of-Service" sticker on at least one of the vehicle's windows.+>>

<<+"Disorderly persons offense" or "petty disorderly persons offense" shall have the same meaning as the definition provided by the New Jersey Code of Criminal Justice at N.J.S.A. 2C:1-4, incorporated herein by reference, as amended and supplemented. Generally, such offenses are under the jurisdiction of municipal courts, carry a maximum jail term of six months or less, and are characterized by being minor in nature, not giving rise to the rights of trial by jury or indictment by grand jury. Examples of these offenses include harassment, obstructing a public passage, and fighting in a public place.+>>

<<+"Emergency" means a person's perceived need for immediate medical care in order to prevent death or aggravation of physiological or psychological illness or injury.+>>

<<+"Emergency medical services" or "EMS" means a system for the provision of emergency care and transportation of persons who are sick or injured and in need of immediate medical care.+>>

<<+"Emergency Medical Technician-Basic" or "EMT-Basic" means a person trained in basic life support care and validly certified or recognized by the Commissioner in accordance with the standards for Emergency Medical Technician- Basic certification as set forth at N.J.A.C. 8:40A.+>>

<<+"Emergency Medical Technician-Paramedic" or "EMT-Paramedic" means a person trained in advanced life support care and validly certified or recognized by the Commissioner in accordance with the standards for Emergency Medical Technician-

Paramedic certification as set forth at N.J.A.C. 8:41A.+>>>

<<+"Emergency response" means the provision of pre-hospital basic life support care by crewmembers staffing a basic life support ambulance, and includes those services that are provided after a call has been received by a 9-1-1 dispatcher requiring an immediate response (for example, automobile accidents, mass gatherings, special events and stadium/arena EMS services) as well as emergent responses to long-term care facilities that may or may not be routed through a 9-1-1 dispatcher.+>>>

<<+"Federal Specification, KKK-A-1822," means the most current specification and amendments thereto, currently entitled: "Federal Specification for the Star-of-Life Ambulance KKK-A-1822E," Edition E, June 1, 2002, incorporated herein by reference, as amended and supplemented. Copies of the standards may be obtained from the General Services Administration, Centralized Mailing List Service (7CAFL), P.O. Box 6477, Forth Worth, Texas 76115.+>>>

<<+"FMVSS" means Federal Motor Vehicle Safety Standards, as set forth at 49 C.F.R. 571, incorporated herein by reference. Copies of the standards may be obtained from the Superintendent of Documents, Washington, D.C.+>>>

<<+"Health care facility" means a facility so defined in the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1.1 et seq.+>>>

<<+"Helicopter" means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.+>>>

<<+"Impervious" means not allowing liquids or dirt to penetrate the surface of the material. For the purposes of this chapter, impervious surfaces do not include coverings made of or containing carpet, velour or cloth.+>>>

<<+"In-service" means the presence of a mobility assistance vehicle or basic life support ambulance at a sending or receiving health care facility; the picking up, transporting or discharging of any patient; or any instance where the mobility assistance vehicle or basic life support ambulance is ready to accept patients and perform mobility assistance or basic life support care.+>>>

<<+"JEMS (Jersey Emergency Medical Services) Communications Plan" means the authorized communications plan for emergency medical services, as issued by the Department. Copies of the plan are available, for a fee, from the Office of Emergency Medical Services.+>>>

<<+"License" or "licensed" means validly licensed by the Commissioner in accordance with the standards for licensure as set forth in this chapter.+>>>

<<+"MAV crewmember" means any person identified at N.J.A.C. 8:40-5.3 as being necessary to meet the minimum personnel requirements for a mobility assistance vehicle.+>>>

<<+"Medical director" means the physician responsible for the medical oversight of the operations of a basic life support ambulance service that provides emergency response. The specific criteria required of a medical director are set forth at N.J.A.C. 8:40-6.15.+>>>

<<+"Medical record" means any information and/or reports (including, but not limited to, patient care reports) that describe a person's physical condition and/or medical history.+>>>

<<+"Mobile intensive care unit" or "MICU" means a specialized emergency medical services vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.+>>>

<<+"Mobility assistance vehicle" or "MAV" means a specialized transport vehicle that is validly licensed by the Department and operated in accordance with the standards set forth in this chapter.+>>

<<+"Mobility assistance vehicle service" or "MAV service" means an entity that is validly licensed by the Department to provide non-emergency health care transportation of sick, infirm or otherwise disabled persons who are under the care or supervision of a physician or other recognized health care provider and whose medical condition is not of sufficient magnitude or gravity to require transportation in a basic life support ambulance, but does require transportation from place to place for medical care, and whose utilization of an alternate form of transportation, such as taxicab, bus, other public conveyance or private vehicle, might create a serious risk to life and health. This service was formerly known as invalid coach service prior to the enactment of N.J.S.A. 30:4D-3a.+>>

<<+"Mobility assistance vehicle technician" or "MAVT" means an individual who has successfully completed the requirements of the mobility assistance vehicle technician's course standards as listed in chapter Appendix B, incorporated herein by reference, and established by the mobility assistance vehicle technician course faculty.+>>

<<+"Non volunteer" means a non volunteer basic life support ambulance service. Includes those agencies that bill patients or insurers for services, hospital-operated services, proprietary services, municipally-operated ambulance services, services operated by a paid municipal fire department, services operated by a paid municipal police department, industrial first aid squads or State-operated ambulances.+>>

<<+"Office of Emergency Management" means the Office of Emergency Management of the New Jersey State Police, Division Headquarters, PO Box 7068, West Trenton, New Jersey, 08625. The telephone number for the Office of Emergency Management is (609) 882-2000.+>>

<<+"Office of Emergency Medical Services" or "OEMS" means the Office of Emergency Medical Services in the New Jersey Department of Health and Senior Services, PO Box 360, Trenton, New Jersey, 08625. The telephone number for OEMS is (609) 633-7777.+>>

<<+"Passenger assistance techniques" or "PAT" means a training program developed by the Transportation Management Associates, Fort Worth Texas. The training program is designed to provide drivers of mobility assistance vehicles the necessary basic skills to safely and effectively assist and transport ambulatory and wheelchair bound patients in their care.+>>

<<+"Patient" means any person who is ill or injured, living or deceased and with whom a crewmember has established physical or verbal contact.+>>

<<+"Patient care report" means the written documentation completed each time a crewmember makes physical or verbal contact with a patient.+>>

<<+"Pediatric" means the period of time beginning with the 29th day following birth up to, but not including, a person's thirteenth birthday.+>>

<<+"Petty disorderly persons offense" means an offense as defined at N.J.S.A. 2C:1-4.+>>

<<+"Physician" means a person who is validly licensed by the New Jersey State Board of Medical Examiners in accordance with the standards set forth at N.J.S.A. 45:9-6.+>>

<<+"Physician assistant" means a person who is validly licensed by the New Jersey State

Board of Medical Examiners in accordance with the standards set forth at N.J.S.A. 45:9-27.13.+>>

<<+"Positive latching mechanism" means a latching mechanism that requires the manual release of the latching device. This does not include magnetic or friction-type latches.+>>

<<+"Pre-hospital" means the period of time prior to the delivery of a patient to a physician or registered nurse at an acute care hospital or satellite emergency department.+>>

<<+"Provider" means a mobility assistance vehicle service or basic life support ambulance service. By virtue of such status, the provider shall assume full legal responsibility for the delivery of services and shall be held accountable for the actions of its crewmembers in the event that there are violations of any State or Federal licensing standards.+>>

<<+"Provider-Initiated-Out-of-Service" or "PIOOS" means the temporary removal from service of a vehicle by the provider. A provider may choose to remove a vehicle from service for various reasons including, but not limited to, when the vehicle is in transit for repairs, when being utilized for official administrative duties or when being utilized in a parade or similar ceremony. Vehicles removed from service in this manner shall be identified by the placement of a placard in one of the vehicle's windows.+>>

<<+"Receiving health care facility" means an acute care hospital, nursing home, physician's office, outpatient facility or rehabilitation facility to which a patient is transferred following evaluation and/or treatment.+>>

<<+"Registered nurse" means a person who is validly licensed by the New Jersey State Board of Nursing in accordance with the standards set forth at N.J.S.A. 45:11-26.+>>

<<+"Regulated medical waste" means, as defined at N.J.A.C. 7:26-3A.5, those medical wastes that have been listed or meet the waste characteristic classification criteria described at N.J.A.C. 7:26-3A.6 and that must be managed in accordance with the requirements of N.J.A.C. 7:26-3A.+>>

<<+"Revocation" or "revoked" means the permanent voiding, withdrawal and/or cancellation of a license or certification.+>>

<<+"Satellite emergency department" means a facility that is owned and operated by an acute care hospital, which provides emergency care and treatment.+>>

<<+"Specialty care transport unit" or "SCTU" means a specialized transport medical service vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.+>>

<<+"Star of Life" means the symbol described in certification of registration number 1,058,022, which the United States Commissioner of Patents and Trademarks has issued to the National Highway Traffic Safety Administration.+>>

<<+"Untreated regulated medical waste" means regulated medical waste, as defined in this subchapter, which has not been treated to substantially reduce or eliminate its potential for causing disease.+>>

<<+"Valid" or "validly" means original (not a photo copy), current, up-to- date, not expired, in effect and/or not past the renewal date required by the issuer.+>>

<<+"Vehicle" means a mobility assistance vehicle or basic life support ambulance, as defined in this subchapter.+>>

<<+"Volunteer ambulance, first aid or rescue squad" means, in accordance with N.J.S.A. 27:5F-20, an ambulance, first aid or rescue squad that provides emergency medical

services without receiving payment for those services. Whether the person members of a squad provide their services for free or are compensated by the squad is irrelevant to a squad's volunteer status.+>>

<< NJ ADC 8:40-1.4 >>

<<+8:40-1.4 Waivers+>>

<<+(a) The Commissioner or his or her designee may grant a waiver of any part of this chapter if, in his or her opinion, such a waiver would not:+>>

<<+1. Endanger the life of any person;+>>

<<+2. Endanger the public health, safety or welfare; or+>>

<<+3. Adversely affect the provision of mobility assistance or basic life support care.+>>

<<+(b) A provider or applicant, as applicable, seeking a waiver shall apply, in writing, to OEMS.+>>

<<+(c) An application for waiver shall include the following:+>>

<<+1. The nature of the waiver requested;+>>

<<+2. The specific standards for which a waiver is requested;+>>

<<+3. Reasons for requesting a waiver, including a statement of the type and degree of hardship that would result if the waiver is not granted;+>>

<<+4. An alternative proposal that would ensure public safety; and+>>

<<+5. Documentation to support the waiver application.+>>

<<+(d) The Department reserves the right to request additional information before processing an application for waiver.+>>

<<+SUBCHAPTER 2. LICENSURE, INSPECTIONS AND AUDITS+>>

<< NJ ADC 8:40-2.1 >>

<<+8:40-2.1 Application for licensure+>>

<<+(a) Any person, public or private institution, agency, entity, corporation, acute care hospital or business concern seeking to be licensed to operate an MAV or BLS ambulance service shall:+>>

<<+1. Fully complete an OEMS application for licensure, listing the name(s), home addresses and telephone numbers of all persons with an ownership interest in the proposed service. Applications may be obtained from OEMS at PO Box 360, Trenton, NJ 08625. However, applicants that are publicly held corporations need only list the person, corporation and/or entity with the controlling interest and those persons, corporations and/or entities holding five percent or more of the available shares of the corporation;+>>

<<+i. Incomplete applications shall not be processed and shall be returned to the



applicant with no action taken. Incomplete applications may be completed and returned to the Department within six months from the date on which the application was returned to the applicant without the requirement of a second application fee. Once an applicant has been notified that the application is complete, the applicant shall have six months within which to request an initial provider audit and vehicle inspections. Failure to comply with these time frames shall require submission of a new application and fee;+>>

<<+ii. No application shall be processed if the proposed trade name of the service duplicates or is essentially similar to a licensed service's trade name or the proposed trade name of an applicant that has an application pending before the Department;+>>

<<+2. Provide the Department with the specific street address of the principal place of business of the proposed service. The principal place of business shall be located on an actual piece of real property and shall not be a post office box or mail drop. Applications listing a post office box or mail drop as the principal place of business shall be rejected;+>>

<<+3. Provide the Department with a copy of the standard operating procedures (SOP) manual, which addresses all of the areas identified at N.J.A.C. 8:40-3.5. No provider shall develop policies that are contrary to any applicable law, rule and/or regulation;+>>

<<+4. Demonstrate that it maintains crewmember personnel files that meet the standards set forth at N.J.A.C. 8:40-3.8;+>>

<<+5. Demonstrate that, except as provided in (a)5i below, it shall have at least one licensable vehicle in each class of service for which it is applying for licensure;+>>

<<+i. Consistent with N.J.A.C. 8:40-6.15(e)1, an applicant seeking licensure as a BLS ambulance service providing emergency response shall demonstrate that it shall have at least two licensable BLS ambulances, one of which shall be maintained as a back-up BLS ambulance;+>>

<<+6. Provide the Department with proof that insurance has been purchased and is in force, as outlined at N.J.A.C. 8:40-3.3;+>>

<<+7. Provide the Department with a signed "Request For Criminal History Record Information For A Noncriminal Justice Purpose" (SBI 212B Form), for submission by OEMS to the New Jersey State Police, State Bureau of Identification. The form shall be accompanied by a cashiers check, certified check or money order, made payable to "The Division of State Police--SBI," as directed on the form;+>>

<<+i. A separate form must be submitted for each person with an ownership interest of five percent or more;+>>

<<+ii. Acute care hospitals and governmental entities (such as municipalities and State agencies) shall be exempt from this requirement; and+>>

<<+8. Provide the Department with a copy of valid incorporation papers and a valid government issued photo I.D. (for example, a passport or a State- issued driver's license) that can be utilized to verify the applicant's identity.+>>

<<+(b) The ownership of any public or private institution, agency, entity, corporation or business concern applying for licensure shall be disclosed to the Department at the time of application. One hundred percent of the company's ownership shall be disclosed, indicating each entity's address and percentage of ownership. Proof of ownership shall be made available to Department staff upon demand.+>>

<<+1. Publicly held corporations (that is, corporations whose stock is publicly traded) shall list the person, corporation and/or entity with the controlling interest, as well as all persons, corporations and/or entities owning five percent or more of the shares of the corporation.+>>

<<+(c) An applicant shall not knowingly file any record or document that is falsified, fraudulent or untrue. The filing of such false records or documents shall be sufficient cause for refusal to issue or renew a license and/or revocation of any existing provider and/or vehicle licenses.+>>

<< NJ ADC 8:40-2.2 >>

<<+8:40-2.2 Track record review+>>

<<+(a) The Department shall conduct a track record review of each proposed owner to determine whether the applicant or applicants have a demonstrated capacity to provide a high quality of care and to operate an MAV and/or BLS ambulance service in accordance with the rules contained in this chapter.+>>

<<+1. This review shall encompass the previous licensing track record of the applicant, both in New Jersey and in any other state. This evaluation shall include all other health care facilities and/or services owned, operated or managed by the applicant and any such facilities and/or services owned, operated or managed by any entity affiliated with the applicant.+>>

<<+(b) The Department may refuse to issue a license if the applicant cannot demonstrate that the equipment, personnel, finances, policies, procedures and standards of health care are fit and adequate and that there is a reasonable assurance that the service will be operated in accordance with the standards required by these rules. In making this determination, the Department may take into consideration:+>>

<<+1. Conviction of Medicare, Medicaid or insurance fraud (regardless of the amount of the monetary penalty, term of imprisonment or other penalty imposed);+>>

<<+2. Conviction of any crime;+>>

<<+3. Conviction of any disorderly persons offense;+>>

<<+4. Conviction of a petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a

risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect;+>>

<<+5. Pre-trial Intervention and/or conditional discharge;+>>

<<+6. Revocation of a license or certification as a physician, physician assistant, registered nurse, advanced practice nurse, EMT-Basic and/or EMT- Paramedic;+>>

<<+7. Revocation of a license to operate a health care facility or service (including, but not limited to, a BLS or ALS ambulance, MAV or similar transport or emergency response service) either in New Jersey or in any other state;+>>

<<+8. Licensure violations representing serious risk of harm to patients; and/or+>>

<<+9. The applicant's compliance with the standards of accreditation of any and all nationally recognized professional or licensing bodies.+>>

<< NJ ADC 8:40-2.3 >>

<<+8:40-2.3 General licensing information+>>

<<+(a) Upon finding that an applicant has met all of the requirements for licensure as set forth at N.J.A.C. 8:40-2.1 and 2.2, the Department may issue the applicant a provider and/or applicable vehicle licenses. The provider license shall be prominently displayed at the provider's principal place of business. The original vehicle license shall be affixed to the lower right corner of the window of the rear (curbside) door of the patient compartment in such a manner that it is readable from outside the vehicle.+>>

<<+1. In order to facilitate the licensure of a new vehicle in the field, Department staff may issue a Certificate of Inspection. This Certificate of Inspection shall be valid for not more than 30 calendar days from the date of issue, and shall serve as authorization for operation of the vehicle while the provider is awaiting delivery by OEMS of the computer-generated vehicle license.+>>

<<+(b) No provider shall be issued a license valid for a period exceeding 24 months. Providers with trade names beginning with the letters "A" through "L" shall be issued licenses which shall expire on December 31st of the year that ends in an even number (for example, December 31, 2002). Applicants with trade names beginning with the letters "M" through "Z" shall be issued licenses which shall expire on December 31st of the next year that ends in an odd number (for example, December 31, 2003).+>>

<<+(c) Provider and vehicle licenses shall be valid for a period not to exceed 24 months. Provider and vehicle licenses, unless sooner suspended, revoked or otherwise invalidated, shall be renewed prior to the expiration date noted on the license, contingent upon the provider submitting an application for renewal and maintaining full compliance with all the requirements contained in this chapter. No vehicle license shall extend beyond the expiration date of the provider license.+>>

<<+(d) Provider and vehicle licenses are the property of the Department, and shall be immediately surrendered to Department staff upon demand. All licenses shall become

immediately null and void and shall be returned to the Department concurrent with the revocation or surrender of a provider's license or when a vehicle is sold, becomes unusable, is retired from service or has been in PIOOS or DIOOS status for six or more consecutive months. Licenses shall not be assignable or transferable. Rights afforded to a provider under this chapter are not assignable to any other person, public or private institution, agency, entity, corporation or business concern.+>>

<<+(e) A provider shall contact the Department to ascertain if new provider and vehicle licenses are needed prior to making any changes in its scope of services.+>>

<< NJ ADC 8:40-2.4 >>

<<+8:40-2.4 Exemptions from licensing requirements+>>

<<+(a) In accordance with the provisions of N.J.S.A. 26:2H-2b, this chapter shall not apply to BLS ambulance services provided by volunteer ambulance, first aid or rescue squads as defined in the New Jersey Highway Traffic Safety Act of 1987, N.J.S.A. 27:5F-18 et seq.+>>

<<+(b) Any person, public or private institution, agency, entity, corporation or business concern providing mobility assistance or basic life support care in any form or manner, where the transport originates within the State of New Jersey, shall first be licensed by the Department in accordance with the provisions of this chapter. For the purpose of this paragraph, geographic areas of exclusive Federal jurisdiction shall not be considered "within the State of New Jersey." However, the licensing requirements set forth in this chapter shall not apply to providers that are based in other states and that provide service in New Jersey when the provider is:+>>

<<+1. Transporting a patient through New Jersey from an out-of-State location to another out-of-State location;+>>

<<+2. Transporting a patient from an out-of-State location to a New Jersey location and returning that same patient to an out-of-State location on the same day; or+>>

<<+3. Transporting a patient on a one-way trip from an out-of-State location to a New Jersey location.+>>

<<+(c) The licensing requirements contained in this chapter shall not apply to services operated directly by an agency of the government of the United States. However, providers holding United States government contracts are not exempt from licensure unless the provider only provides services within a geographic area of exclusive Federal jurisdiction (for example, providing emergency response services within the confines of a United States military base or transporting a patient from a United States military base hospital to a Veterans Administration hospital).+>>

<< NJ ADC 8:40-2.5 >>

<<+8:40-2.5 Licensure and administrative fees+>>

<<+(a) Licensure fees shall be due when the application is filed, and shall be non-refundable. The application shall be accompanied by a single certified bank check (for example, a cashier's check) or money order in the correct amount, and shall be made payable to "Treasurer, State of New Jersey." Personal checks shall not be accepted.+>>

<<+(b) The fees for licensure as a new provider shall be as follows:+>>

<<+1. MAV service: \$1,500 plus \$100.00 per licensable vehicle.+>>

<<+2. BLS ambulance service: \$1,500 plus \$100.00 per licensable vehicle.+>>

<<+3. MAV and BLS ambulance service: \$3,000 plus \$100.00 per licensable vehicle.+>>

<<+(c) The fees for licensure as a new provider for applicants making application anytime during the second year of the two-year cycle set forth at N.J.A.C. 8:40-2.3(b) shall be as follows:+>>

<<+1. MAV service: \$1,250 plus \$50.00 per licensable vehicle.+>>

<<+2. BLS ambulance service: \$1,250 plus \$50.00 per licensable vehicle.+>>

<<+3. MAV and BLS ambulance service: \$2,500 plus \$50.00 per licensable vehicle.+>>

<<+(d) The fees for licensure of a new vehicle by a provider at any time during the second year of the two-year cycle set forth at N.J.A.C. 8:40- 2.3(b) shall be \$50.00 per vehicle.+>>

<<+(e) The fee for renewal of a provider license shall be as follows:+>>

<<+1. MAV service: \$500.00 plus \$100.00 per licensable vehicle.+>>

<<+2. BLS ambulance service: \$500.00 plus \$100.00 per licensable vehicle.+>>

<<+3. MAV and BLS ambulance service: \$1,000 plus \$100.00 per licensable vehicle.+>>

<<+(f) License renewal fees shall be due on or before the date on which the license expires. Applications for renewal submitted after the date on which the license expires shall be accompanied by a late fee in the amount of \$500.00; however, applications for renewal submitted 10 or more calendar days after the date on which the license expired shall not be accepted, and the applicant shall be required to submit an application and the appropriate fee for licensure as a new provider. In addition, a provider that allows its license to expire shall be subject to monetary penalties for operation as an unlicensed entity, as provided for at N.J.A.C. 8:40-7.4(a)2ii.+>>

<<+(g) Any and all proposed changes in ownership interest shall be reported to the Department at least 30 calendar days prior to the actual change, except that providers owned by publicly held corporations need only report stock redistributions of five percent or more.+>>

<<+1. Changes in ownership interest that do not involve a change in the controlling interest of a provider, or changes in ownership where an existing owner is assuming the controlling interest, shall be accompanied by a cashier's check or money order in the amount of \$250.00 to cover the administrative costs associated with updating the provider's file. The check shall be made payable to "Treasurer, State of New Jersey." +>>

<<+2. All other changes to the controlling interest of a provider shall constitute a complete change in ownership and shall require the submission of an application for licensure by the proposed owner, as set forth at N.J.A.C. 8:40-2.1 and 2.2. No services shall be provided until such time as the applicant has been granted the required provider and vehicle licenses.+>>

<<+3. All licenses shall be immediately void if the controlling interest of a provider is changed without first notifying the Department and receiving all necessary provider and/or vehicle licenses.+>>

<<+(h) Once licensed, it shall be the provider's responsibility to notify the Department of any change of trade name, license plate or vehicle recognition number and to provide appropriate documentation as may be required by the Department. The Department shall charge a nonrefundable fee of \$250.00 to process a change of trade name for a provider license where no change of ownership has occurred. The Department shall charge a nonrefundable fee of \$20.00 per vehicle to process a change of trade name, vehicle license plate or vehicle recognition number for a vehicle license. Revised vehicle licenses shall be issued only for the vehicle that bears the exact same manufacturer- issued vehicle identification number (VIN).+>>

<<+(i) Governmental entities, such as municipalities and State agencies, are exempt from paying the fees contained in this section, but shall be required to file all appropriate applications.+>>

<< NJ ADC 8:40-2.6 >>

<<+8:40-2.6 Vehicle inspections and provider audits+>>

<<+(a) Authorized representatives of the Department may conduct periodic vehicle inspections and provider audits as necessary to determine compliance with this chapter.+>>

<<+1. The Department may conduct scheduled inspections of each vehicle at least once every year.+>>

<<+2. The Department may conduct unscheduled vehicle inspections and/or provider audits at its discretion.+>>

<<+i. Unscheduled inspections and/or audits may be conducted by an authorized representative of the Department at any time, at any of the provider's places of business or at any place a vehicle is located, provided that patient care is not compromised. Department staff shall not stop any vehicle when it is traveling on a public roadway.+>>

<<+(b) The scope of an inspection and/or audit shall be determined by the representative conducting the inspection and/or audit and may include, but is not limited to, an examination of all documents and records (including patient records, certification and training credentials, vehicle insurance card, vehicle registration card, crewmember driver's licenses, crewmember photo I.D., etc.), a review of all vehicles and/or equipment, and interviews with crewmembers and patients.+>>

<<+(c) The provider and its employees shall afford Department representatives

unhindered access to the provider's premises and vehicles during the course of such inspections and audits, and shall produce all documents and credentials requested by Department staff upon demand.+>>

<<+(d) The Department shall notify the provider in writing of the results of any vehicle inspection and/or provider audit, including any deficiencies found.+>>

<<+SUBCHAPTER 3. GENERAL ADMINISTRATIVE REQUIREMENTS+>>

<< NJ ADC 8:40-3.1 >>

<<+8:40-3.1 Administrator+>>

<<+(a) Each provider shall have an administrator who shall be responsible for the day-to-day operation of the service. The administrator may, but need not, be the owner of the service.+>>

<<+(b) The provider or the administrator shall designate one or more alternates to act in the administrator's absence.+>>

<<+1. The Department shall be informed of the name and telephone number of the administrator and his or her alternate within 14 calendar days of appointment or of any subsequent change.+>>

<<+(c) Either the provider, the administrator or the designated alternate shall be available for consultation with the Department during normal business hours.+>>

<< NJ ADC 8:40-3.2 >>

<<+8:40-3.2 Business locations+>>

<<+(a) The provider shall maintain a principal place of business at one location. The Department shall be informed of the specific location of the principal place of business and shall be notified 14 calendar days in advance of any change in the location of the principal place of business.+>>

<<+1. Consistent with N.J.A.C. 8:40-2.1(a)2, the principal place of business shall be located on an actual piece of real property and shall not be a post office box or mail drop.+>>

<<+(b) The Department shall also be informed of the location of any satellite offices and vehicle storage sites maintained by the provider. The Department shall be notified at least 14 calendar days prior to commencement of business at any proposed satellite location.+>>

<< NJ ADC 8:40-3.3 >>

<<+8:40-3.3 Insurance coverage+>>

<<+(a) Prior to initial provider licensure, an applicant shall be required to arrange for each insurance carrier or agent to submit an official "Certificate of Insurance" form, issued by an insurance carrier, covering all three types of insurance listed in (c) below. Each such form shall show that the required insurance has been purchased and is in force. If the vehicles are insured as "Scheduled Autos," the Vehicle Identification Number (VIN) of each vehicle shall be listed on the "Certificate of Insurance" form. The trade name of the provider shall be listed as an insured. The Department, at its discretion, may

require an applicant or provider, as applicable, to have its insurance carrier or agent submit additional official "Certificate of Insurance" forms.+>>

<<+(b) In addition, an applicant or provider, as applicable, shall supply the Department with the following information prior to initial provider licensure, initial licensure of each vehicle and upon provider and vehicle relicensure:+>>

<<+1. The name of the insurance company or companies issuing each policy;+>>

<<+2. The name of the policyholder, which shall include the provider's trade name;+>>

<<+3. All policy numbers;+>>

<<+4. The expiration date of each policy; and+>>

<<+5. The types and limits of coverage for each policy.+>>

<<+(c) Once licensed, a provider shall maintain the required minimum insurance as outlined in (c)1 through 3 and (d) below, plus such additional insurance as the provider may deem necessary in order to be eligible to provide services under this chapter. The provider shall immediately discontinue any and all MAV and/or BLS ambulance services in the event any portion of the required insurance is cancelled, expires or otherwise becomes null or void.+>>

<<+1. At least \$500,000 per occurrence of combined bodily injury/property damage coverage for each vehicle;+>>

<<+2. At least \$300,000 of single limit coverage of "premises and operations" type general liability insurance; and+>>

<<+3. At least \$300,000 per occurrence coverage of "malpractice" type professional liability insurance, if operating a BLS ambulance service, or regular professional liability insurance, if operating an MAV service.+>>

<<+(d) The general liability and malpractice and professional liability insurance required in (c)2 and 3 above, may be combined in a single policy of at least \$500,000 per occurrence.+>>

<<+(e) Consistent with N.J.S.A. 39:3-29, the driver shall be in possession of the vehicle insurance card (or it shall be kept in the vehicle at all times so as to be accessible to the crewmembers). Vehicle insurance cards shall be made available to Department staff upon demand. In addition, copies of all insurance policies shall be kept at the provider's principal place of business and made available to Department staff upon demand.+>>

<< NJ ADC 8:40-3.4 >>

<<+8:40-3.4 Advertising restrictions+>>

<<+(a) No provider shall advertise or represent that it provides any health care services other than those services for which it is licensed.+>>

<<+(b) MAV and BLS ambulance services may advertise their services under generic headings such as "Ambulances" in the Yellow Pages [FN®] and similar publications. The



actual advertisement under such a generic heading shall clearly advertise only those services for which the provider is licensed.+>>

<<+(c) Advertisements by MAV services shall not give the impression that the provider is capable of providing emergency medical services and shall be void of any word or expression indicating emergency medical services, including, but not limited to, "Emergency," "9-1-1," or "Emergency Response."+>>

<<+(d) The words "24-hour service," "Immediate Response," "Eliminate Delay" or similar expressions shall only appear in advertisements for BLS ambulance services providing emergency response and only if the provider is capable of providing continuous, around-the-clock answering of telephone requests for service by a person qualified to:+>>

<<+1. Promptly summon crewmembers (if necessary); and/or+>>

<<+2. Dispatch assistance.+>>

<<+(e) Consistent with N.J.A.C. 17:24-10.3, a BLS provider shall not advertise any telephone number for emergency response service other than 9-1-1.+>>

<<+(f) The words "Paramedic," "EMT-Paramedic," "Mobile Intensive Care," "Intensive Care," "MICU," "Critical Care Transport Unit," "CCTU," "Coronary Care," "Special Care," "Specialty Care," "SCTU," "Specialty Care Transport Unit," "ALS," "Advanced Life Support" or abbreviations of such words, shall only appear in advertisements when the provider is licensed to provide those services.+>>

<<+(g) All advertisements shall include the name under which the provider is licensed by the Department.+>>

<< NJ ADC 8:40-3.5 >>

<<+8:40-3.5 Standard operating procedures manual+>>

<<+(a) Each provider shall develop and maintain a written standard operating procedures (SOP) manual. The SOP manual shall reflect the methods of daily operation, and shall be consistent with the provisions of this chapter. The SOP manual shall be filed with OEMS prior to licensure; any amendments to the SOP manual shall be filed with the Department within 14 business days of the effective date of the amendment. A copy of the SOP manual shall be available at each location where a vehicle is garaged, shall be readily accessible to all crewmembers and shall be made available to Department staff upon demand.+>>

<<+(b) In addition to addressing the employees' responsibilities under this chapter, such as cooperating with inspections, the rules governing vehicles placed in DIOOS status, the possibility of incurring monetary penalties in case of licensure violations, having training credentials available and performing duties in a professional manner, the SOP manual shall address sanitation requirements, maintenance of records (see N.J.A.C. 8:40-3.9), vehicle cleanliness, communicable disease guidelines, placing patients into physical behavioral restraints, patient rights, vehicle breakdowns, child and elder abuse reporting requirements, portable and mobile radio operation and other areas of concern to the provider or the Department. The SOP manual shall also contain a nondiscrimination statement, outlining the service's willingness to transport and treat patients regardless of a person's race, sex, creed, national origin, sexual preference, age, disability, medical

condition (including, but not limited to, patients with AIDS/HIV, TB, Hepatitis B or other communicable diseases) or ability to pay. If the service provides emergency response, the SOP manual shall include, as appendices, copies of the relevant municipality's EMS Annex and the HAZ-MAT Annex of the State disaster plan. A current copy of these rules (N.J.A.C. 8:40) shall be included in the SOP manual, but the rules by themselves, shall not constitute a complete SOP manual.+>>

<<+1. Each provider shall develop a policy to ensure that all patient information, including patient identifiable data, remains confidential and private. This policy shall be part of the SOP manual, and shall be provided to each of the provider's employees. Patient information shall only be disclosed or released:+>>

<<+i. If the patient, guardian, executor or other legally authorized person has requested in writing that the information be released to a specific person, entity or company;+>>

<<+ii. In compliance with a subpoena, judicial order or applicable law, rule and/or regulation;+>>

<<+iii. To process a claim for insurance, including Medicare or Medicaid, if authorized by the patient, guardian, executor or other legally authorized person;+>>

<<+iv. To Department staff in the performance of their duties and/or while conducting inspection, audit and/or investigation; and+>>

<<+v. To effect the transfer of the patient to another health care professional receiving the patient.+>>

<< NJ ADC 8:40-3.6 >>

<<+8:40-3.6 Patient care reports+>>

<<+(a) The provider shall develop a patient care report to be utilized each time a crewmember makes physical or verbal contact with a patient. The format of the patient care report shall be approved by the Department prior to utilization by the provider. The provider shall submit for review any revisions sought to be made to any form previously approved by the Department before that revised form may be utilized.+>>

<<+1. A separate patient care report shall be prepared for each patient transported in the same vehicle. One patient care report, per person, shall suffice for both legs of a round trip.+>>

<<+2. The patient care report shall be signed by all of the crewmembers.+>>

<<+(b) Each patient care report shall be typed, printed or written in ink and shall contain the following information:+>>

<<+1. The patient's name, age, sex and home address;+>>

<<+2. A description of the patient's condition at the scene and in transit, including a description of the patient's chief complaint and at least one set of vital signs and the time

that the vital signs were taken (BLS providers) or a description of the patient's condition and any observed changes (MAV providers);+>>

<<+3. A description of care given to the patient at the scene and in transit (BLS providers) or a description of any care and/or assistance given to the patient (MAV providers);+>>

<<+4. The time when, and location where, the patient was picked up and was discharged;+>>

<<+i. For BLS ambulances utilized to provide emergency response, times when the call was received, when the vehicle was dispatched, when the vehicle reported going en route to the call, when the vehicle reported on location, when the vehicle reported en route to an acute care hospital and when the vehicle arrived at that hospital;+>>

<<+5. The vehicle recognition number, date, and full names of each crewmember and their affiliation (including the identification of any responding MICU or AMU, if applicable); and+>>

<<+6. For BLS ambulances utilized to provide emergency response, whether or not emergency warning devices were utilized responding to the scene, at the scene, or in transit to the receiving health care facility.+>>

<<+(c) If a patient refuses care, the refusal shall be documented on the patient care report and an attempt shall be made to obtain the signature of the patient (or guardian) on a "Refusal of Care" statement.+>>

<<+(d) A copy of the patient care report shall be given to an authorized representative at the receiving health care facility. This shall be done no later than 24 hours after completion of the call. Additions to the original report shall not be made once a copy has been delivered to the receiving health care facility, unless such changes are initialed and dated by the person making the change and the receiving health care facility is provided with a copy of the changes.+>>

<<+(e) Every provider shall develop and maintain a means for recording cancelled or recalled calls, missed calls, and other activity that does not result in patient contact, but did result in a dispatch.+>>

<<+(f) The provider shall keep all patient care reports in accordance with the provisions for the retention of records set forth at N.J.A.C. 8:40- 3.9.+>>

<< NJ ADC 8:40-3.7 >>

<<+8:40-3.7 Reportable events+>>

<<+(a) Providers shall notify the Department by telephone, followed by written confirmation on the form provided at Appendix C, of:+>>

<<+1. Any death or injury that occurred to a patient, passenger or crewmember while being treated, transported or riding in the provider's vehicle;+>>

<<+2. Any accident reported to the police in which one or more of the provider's vehicles

is involved, regardless of injuries;+>>

<<+3. Any event occurring on or within the provider's vehicle(s) or place of business that results in any damage to patient medical records;+>>

<<+4. Any instance where a crewmember acts outside of his or her approved scope of practice;+>>

<<+5. Any and all incidents or series of incidents which, upon objective evaluation, lead to the good faith belief that the conduct is in violation of any applicable law, rule and/or regulation (including, but not limited to, any instances of child abuse or neglect, elder abuse, domestic violence and/or the utilization of physical behavioral restraints); and/or+>>

<<+6. Any PIOOS for a period greater than 30 calendar days.+>>

<<+(b) The initial telephone report shall be made to OEMS during regular business hours before the end of the next business day following the incident.+>>

<<+(c) The written confirmation shall be in the form as set forth in chapter Appendix C, Reportable Events, incorporated herein by reference, and shall include all information known to the provider or crewmembers, including the condition of, and prognosis for, any injured persons, as well as copies of any official reports (such as a police report) and the provider's estimate of the degree of disruption of services, as applicable. This confirmation shall be delivered to OEMS no later than 14 calendar days after the incident.+>>

<<+(d) Department staff shall investigate all reports of unusual occurrences and/or unlawful or prohibited conduct in a timely manner.+>>

<< NJ ADC 8:40-3.8 >>

<<+8:40-3.8 Personnel files+>>

<<+(a) A provider shall maintain a personnel file for each crewmember. Each file shall contain, at a minimum:+>>

<<+1. The name and home address of the crewmember;+>>

<<+2. A copy of the crewmember's valid driver's license;+>>

<<+3. A copy of the crewmember's photo I.D. (a valid photo driver's license may be utilized);+>>

<<+4. A copy of the crewmember's PAT Technician, MAV Technician or EMT- Basic certification card, as applicable; and+>>

<<+5. A copy of the crewmember's CPR certification card;+>>

<<+(b) All personnel files shall be maintained at the provider's principal place of business, shall be maintained in a readily accessible manner and shall be made available

to Department staff upon demand.+>>>

<<+(c) A provider shall not knowingly verify a record or document that is falsified, fraudulent or untrue. The knowing verification of such false records or documents shall be sufficient cause for refusal to issue or renew a license and/or revocation of any existing provider and/or vehicle licenses.+>>>

<< NJ ADC 8:40-3.9 >>

<<+8:40-3.9 Maintenance of records+>>>

<<+(a) The provider shall maintain full, complete and accurate records as required by this chapter. Records shall not be falsified, altered or destroyed. Records may be stored in a computer format, provided that adequate safeguards are in place to prevent unauthorized access and tampering, and adequate provisions for back-up data are in place. These provisions shall be incorporated into the required SOP manual and submitted to the Department for approval prior to implementing the data storage system.+>>>

<<+(b) The provider shall keep a copy of each required record, including patient care reports, at its principal place of business. The records shall be made available to Department staff upon demand.+>>>

<<+(c) The provider shall retain and safely store all patient medical records, including patient care reports, for at least 10 years. However, in those instances where a patient is less than 18 years of age at the time of treatment, the patient medical records shall be retained and stored until the patient's 23rd birthday or for 10 years, whichever is greater. The provider shall retain and safely store all other required records for at least five years. In the event the provider ceases operation for any reason, the provider shall arrange for the safe storage of required records at a place, and in a manner, acceptable to the Department.+>>>

<< NJ ADC 8:40-3.10 >>

<<+8:40-3.10 Biomedical equipment testing and maintenance+>>>

<<+(a) Each provider shall develop and maintain a testing and maintenance schedule for its biomedical equipment in accordance with the manufacturer's recommendations or in compliance with Federal standards, whichever is more frequent. All biomedical equipment and devices shall comply with all applicable provisions set forth by the Federal Food and Drug Administration for safe care, utilization and maintenance of medical devices.+>>>

<<+(b) For the purposes of this section, biomedical equipment includes, but is not limited to:+>>>

<<+1. Cardiac resuscitators (that is, Thumpers [FN®]);+>>>

<<+2. Cardiac defibrillators and/or monitors;+>>>

<<+3. Pulse oximeters; and+>>>

<<+4. Automatic ventilators.+>>>

<<+(c) The required testing and maintenance shall be conducted by:+>>>

<<+1. Qualified employees of the firm that manufactured the equipment;+>>

<<+2. Qualified employees of a firm approved or authorized by the manufacturer;+>>

<<+3. Biomedical engineering staff of an acute care hospital;+>>

<<+4. Biomedical engineering staff of the New Jersey Hospital Association (or of an affiliate);+>>

<<+5. A recognized independent laboratory; or+>>

<<+6. Crewmembers or other employees of the provider who have been qualified by the equipment manufacturer to perform such testing and maintenance.+>>

<<+(d) The requirements of (a) above shall not apply to biomedical equipment that is:+>>

<<+1. In the physical possession of an acute care hospital or other licensed health care facility;+>>

<<+2. Is placed in the provider's vehicle for treatment, during transportation, of that hospital's or facility's patient; and+>>

<<+3. Is operated by that hospital or facility's personnel.+>>

<<+(e) The results of the biomedical equipment tests shall be kept on file at the provider's principal place of business and shall be made available to Department staff upon demand.+>>

<< NJ ADC 8:40-3.11 >>

<<+8:40-3.11 Automated external defibrillator registration and reporting+>>

<<+(a) Any provider that equips its vehicles with AEDs for the purpose of administering pre-hospital cardiac defibrillation shall register with the Department.+>>

<<+(b) Registration forms shall bear the original signature of the provider's administrator or medical director and shall include the following information:+>>

<<+1. The provider's name and address;+>>

<<+2. The name of the provider's administrator and his or her telephone number;+>>

<<+3. The name and license number of the medical director, if applicable;+>>

<<+4. A statement that all local emergency medical services agencies and dispatch centers have been notified of the device's location; and+>>

<<+5. A statement of compliance with the manufacturer's equipment maintenance and testing requirements.+>>

<<+(c) A notation shall be made on the patient care report each and every time a crewmember applies an AED to a patient.+>>

<<+1. In addition, a crewmember shall make a complete verbal report to the receiving physician or registered nurse; and+>>

<<+2. A copy of the patient care report shall be filed with the receiving health care facility no later than 24 hours after completion of the call.+>>

<< NJ ADC 8:40-3.12 >>

<<+8:40-3.12 Vehicle PIOOS logs+>>

<<+A provider shall keep a log for each vehicle, specifying PIOOS time, the cause of the problem and its resolution. Additionally, a provider shall develop and maintain a program of preventive maintenance for each vehicle.+>>

<<+SUBCHAPTER 4. GENERAL CREWMEMBER, EQUIPMENT AND VEHICLE REQUIREMENTS+>>

<< NJ ADC 8:40-4.1 >>

<<+8:40-4.1 Minimum crewmember requirements+>>

<<+(a) Each MAV and BLS ambulance crewmember shall possess a valid driver's license, as required by N.J.S.A. 39:3-10. Licenses shall be made available to Department staff upon demand.+>>

<<+(b) Each crewmember that serves on an MAV or BLS ambulance shall:+>>

<<+1. Be at least 18 years old;+>>

<<+2. Wear identification clearly setting forth his or her first and last name and the name of the provider on whose behalf he or she is providing care; and+>>

<<+3. Dress in clothing, including any outerwear, of a similar uniform appearance that presents a professional appearance.+>>

<<+(c) A crewmember shall not wear or display any identification or symbol including, but not limited to, patches, pins or logos that suggest or indicate affiliation with any other unrelated organization or agency. A crewmember employed by a provider that is part of a larger corporate structure may wear identification that recognizes that corporate entity, so long as the provider's name is the most prominent identifier on any such patch, pin and/or logo.+>>

<<+1. Identification may be displayed that identifies the person's level of training, completion of training courses and/or membership in a professional association or society; however, identification shall not be displayed that indicates a level of training that the person has not attained.+>>

<<+2. A person recognized by the Department as a flight nurse, flight medic, mobile intensive care nurse or first responder shall not wear any patches that suggest that they are in any way licensed or certified by the Department or OEMS.+>>

<<+(d) Each crewmember shall possess and shall make available to Department staff upon demand, certification for the type or level of patient care he or she is providing. No person shall be allowed to provide a type or level of patient care beyond the level he or she is lawfully eligible to provide in the State of New Jersey. In addition, each crewmember shall, upon request by Department staff, produce a valid driver's license and a photo I.D. that Department staff may utilize in order to verify the validity of the required certification credentials.+>>

<< NJ ADC 8:40-4.2 >>

<<+8:40-4.2 Crewmember competency+>>

<<+(a) Each crewmember shall have knowledge of and/or skills in the following:+>>

<<+1. Application, operation, care and removal of the on-board medical equipment, as well as knowledge of potential in transport complications which may arise from the utilization of the equipment and the treatment of these complications;+>>

<<+2. The policies and procedures for the operation of a MAV or BLS ambulance, as applicable;+>>

<<+3. Safety operations for vehicle accident and incident procedures;+>>

<<+4. All communications equipment;+>>

<<+5. All applicable laws, rules and/or regulations including, but not limited to, those set forth at N.J.S.A. 26:2K-7 through 20, N.J.S.A. 26:2K-35 through 38 and N.J.A.C. 8:40, 8:40A, 8:41 and 8:41A; and+>>

<<+6. The scope of practice applicable to his or her respective certification level.+>>

<< NJ ADC 8:40-4.3 >>

<<+8:40-4.3 Vehicle registration+>>

<<+(a) Each MAV and BLS ambulance shall be registered, maintained and operated in accordance with N.J.S.A. 39:1-1 et seq. The vehicle registration card shall be made available to Department staff upon demand.+>>

<<+(b) Vehicles registered as a motor vehicle in New Jersey shall display a valid motor vehicle inspection decal issued by the New Jersey Division of Motor Vehicles (NJDMV). The vehicle shall only be utilized to provide service after it has successfully passed all motor vehicle tests conducted by the NJDMV or an authorized Reinspection Station. No vehicle shall be utilized to provide services while it bears a voided, expired or "Reject" NJDMV sticker.+>>

<<+(c) Vehicles registered as motor vehicles in other states shall display a valid motor vehicle inspection decal issued in accordance with the requirements of the state registering the vehicle. The vehicle shall only be utilized to provide service after it has successfully passed all tests conducted in accordance with the requirements of the state registering the vehicle.+>>



<< NJ ADC 8:40-4.4 >>

<<+8:40-4.4 Vehicle safety+>>

<<+(a) The vehicle shall be maintained in a safe operating condition. The vehicle and all required equipment shall be functional and operable when the MAV or BLS ambulance is "in-service." +>>

<<+(b) The responsibility for the safe operation of each MAV or BLS ambulance shall rest with the crewmembers staffing that vehicle. +>>

<<+(c) No provider shall operate any vehicle without due regard for the safety of the general public or without adhering to all applicable laws, rules and/or regulations. No provider shall allow the operation of any vehicle that is patently unsafe to drive, presents a hazard to personnel and/or bystanders, has not passed New Jersey Division of Motor Vehicles (NJDMV) inspection or does not display a valid NJDMV inspection sticker. +>>

<<+(d) No person shall staff or operate, or be allowed to staff or operate, an MAV or BLS ambulance. +>>

<<+1. After consuming or while under the influence of alcohol, narcotics or any substance that substantially compromises a person's decision-making abilities; +>>

<<+2. In a reckless manner; +>>

<<+3. At an excessive rate of speed; or +>>

<<+4. While engaging in any illegal conduct. +>>

<<+(e) The interior of the vehicle shall be designed for the safety of patients and crewmembers and the patient compartment shall have the following safety features: +>>

<<+1. There shall be no protruding edges; +>>

<<+2. Exterior corners (corners that point-out) shall be rounded or covered with a padded material; +>>

<<+3. The ceiling shall be finished with a padded material or with a flat, even and unbroken surface; +>>

<<+4. The floor shall have a flat, even, unbroken and impervious surface and shall be covered with a slip resistant material; +>>

<<+5. Any seats with under seat storage shall have a positive latching mechanism that holds the seat closed; +>>

<<+6. All cabinet doors, except a sliding door, shall have a positive latching mechanism that shall hold the door securely closed and shall prevent the contents of the cabinet from pushing the door open from the inside; and +>>

<<+7. All equipment and supplies carried on the vehicle shall be stored in a crashworthy manner (that is, they shall remain firmly in place and shall not present a hazard to any

vehicle occupant in the event of an accident or sudden change in vehicle speed or direction). There shall be sufficient cabinets and other storage spaces within the vehicle so as to meet this requirement. Crashworthy retention systems shall not incorporate rubber straps, "shock cords" or Velcro [FN®]-type closures.+>>

<<+8. The bench seats in all vehicles manufactured after July 1, 2002 shall have a passive barrier at the forward end of the bench.+>>

<<+(f) Automotive safety belts shall be provided for each vehicle occupant (patient, passenger or crewmember) over eight years of age or under eight years of age but weighing more than 80 pounds and shall meet all State standards, including those set forth at N.J.S.A. 39:3-76.2 et seq. Each vehicle occupant shall be properly restrained either in an automotive safety belt, wheelchair or stretcher, as medically appropriate. All children under eight years of age weighing less than 80 pounds, whether patients or passengers, shall be properly restrained in a Federally-approved child restraint system as provided for at N.J.S.A. 39:3-76.2a, in a wheelchair or on a stretcher, as medically appropriate.+>>

<<+1. BLS ambulances not utilized to provide emergency response and MAVs may, but need not, store the child restraint system on board the vehicle when the system is not being utilized. If not stored on the vehicle, the system shall be immediately accessible on the provider's premises.+>>

<<+2. BLS ambulances utilized to provide emergency response shall carry the child restraint system on board the vehicle at all times.+>>

<<+(g) Signs shall appear in both the patient and driver's compartments that clearly indicate that smoking is prohibited anywhere in the vehicle.+>>

<<+(h) Each vehicle shall be equipped with the following minimum safety equipment:+>>

<<+1. One flashlight, two D-cell size or larger;+>>

<<+2. One fire extinguisher, U.L. rated at least 2A 10BC or 3A 40BC. The extinguisher shall have either a valid inspection tag or a gauge indicating that it is fully charged. The fire extinguisher shall be securely mounted in a bracket on the wall, floor or ceiling; and+>>

<<+3. Three portable red emergency reflective safety triangles or three battery-operated flashers. Due to their flammable nature, ground and/or safety flares of any type shall not be carried on any vehicle.+>>

<< NJ ADC 8:40-4.5 >>

<<+8:40-4.5 Vehicle sanitation+>>

<<+(a) The interior of the vehicle, including all areas utilized for storage, and the equipment and supplies within the vehicle, shall be kept clean and sanitary. A disinfectant shall be routinely applied to all contact surfaces. The floor, walls and

equipment shall be free of stains, dirt, debris, odors and insect infestation.+>>

<<+(b) All interior surfaces shall be covered with stain resistant material that is impervious to blood, vomitus, grease, oil and common cleaning materials.+>>

<<+(c) Blankets, pillows and mattresses shall be kept clean and in good repair. All pillows and mattresses shall have protective, waterproof and stain resistant covers.+>>

<<+(d) Clean linens shall be utilized in the transport of stretcher patients. All linens shall be changed after each patient. Disposable linens may be utilized, so long as they are disposed of after each patient.+>>

<<+(e) There shall be adequate, clean, dustproof storage for clean linens.+>>

<<+(f) Plastic bags and/or covered containers or compartments shall be provided and shall be utilized for all soiled supplies (including linens and blankets) carried within the vehicle.+>>

<<+(g) In order to protect the safety of the general public and emergency response personnel, after a vehicle has been occupied by or used to transport a patient known or suspected to have a communicable disease, the vehicle shall, prior to transportation of another patient, be cleaned and all contact surfaces, equipment and blankets shall be disinfected according to applicable standards set forth by the Occupational Safety and Health Administration (OSHA) at 29 C.F.R. 1910.120, incorporated herein by reference, and adopted in New Jersey by the Public Employees Occupational Safety and Health Act, N.J.S.A. 36:6A-25 et seq., incorporated herein by reference.+>>

<<+(h) Where possible, only single-service implements shall be inserted into the patient's nose or mouth. These single-service items shall be wrapped and properly stored and disposed of after utilization. Non-disposable patient care equipment shall be decontaminated after each patient utilization in a manner consistent with the sending or receiving health care facility's requirements for equipment decontamination. No airway, tube, catheter or other similar device shall be utilized on more than one patient unless sterilized in accordance with manufacturer's recommendations.+>>

<<+(i) Exterior surfaces of the vehicle shall be routinely cleaned.+>>

<< NJ ADC 8:40-4.6 >>

<<+8:40-4.6 Vehicle heater/air conditioner+>>

<<+(a) Each vehicle shall have a functional heater and air conditioner:+>>

<<+1. When the outside temperature is below 65 degrees Fahrenheit, the heater shall, within 20 minutes after initial engine start up, provide an inside ambient patient compartment temperature of 68 to 72 degrees Fahrenheit.+>>

<<+2. The air conditioner shall, within 45 minutes after engine start up, provide an inside ambient patient compartment temperature of:+>>

<<+i. Sixty-eight to 72 degrees Fahrenheit when the outside temperature is between 75 and 85 degrees Fahrenheit; and+>>

<<+ii. At least 13 degrees Fahrenheit below the outside temperature when the outside temperature is over 85 degrees Fahrenheit.+>>

<< NJ ADC 8:40-4.7 >>

<<+8:40-4.7 Vehicle chassis, body and components+>>

<<+(a) The motor vehicle chassis, body and components shall be standard commercial products and shall comply with all Federal Motor Vehicle Safety Standards (FMVSS) and Federal regulations applicable or specified for the year of manufacture.+>>

<<+(b) The curb weight and payload weight shall not exceed the gross motor vehicle weight rating as determined by the manufacturer.+>>

<<+(c) Tires shall be appropriate for the Gross Vehicle Weight of the vehicle and shall not be damaged or have excessive tread wear. Radial and non- radial tires shall not be mixed on the vehicle.+>>

<<+(d) The completed/modified vehicle's center of gravity shall be within the parameter recommended by the chassis manufacturer.+>>

<<+(e) All seats shall comply with 49 C.F.R. 571.207 (FMVSS No. 207). Automotive safety belts and anchorages for seats and for occupied wheelchairs shall comply with 49 C.F.R. 571.208, 209 and 210 (FMVSS Nos. 208, 209 and 210).+>>

<<+(f) All glazing shall comply with 49 C.F.R. 571.205 (FMVSS No. 205).+>>

<<+(g) The provider shall, with the approval of the Department, permanently assign a unique nonduplicated recognition number to each vehicle. The recognition number shall consist of at least one, but not more than six, characters. For the purpose of this paragraph, a character shall mean either an Arabic number, an Arabic letter, a space or a dash. At least one of the characters in the recognition number shall be either an Arabic letter or Arabic number.+>>

<< NJ ADC 8:40-4.8 >>

<<+8:40-4.8 Vehicle carbon monoxide concentrations+>>

<<+(a) In order to minimize the amount of carbon monoxide, noxious gases, diesel exhaust, fumes and contaminants entering the vehicle:+>>

<<+1. The vehicle exhaust system, as well as the vehicle exterior, doors, windows and related gaskets shall be in good condition and free of leaks; and+>>

<<+2. The vehicle exhaust system shall extend beyond the sides of the vehicle and away from the fuel tank filler pipes and doors.+>>

<<+(b) The vehicle shall not be utilized to transport patients if the exhaust system has:+>>

<<+1. Loose or leaking joints;+>>

<<+2. Holes, leaking seams, or patches;+>>

<<+3. A tail pipe end that is pinched or damaged; or+>>

<<+4. A tail pipe end that does not extend beyond the edge of the vehicle body.+>>

<< NJ ADC 8:40-4.9 >>

<<+8:40-4.9 Pneumatic testing+>>

<<+(a) All respiratory equipment shall be pneumatically tested by the provider at least once every six months and, if required by the manufacturer, at more frequent intervals.+>>

<<+(b) Periodic pneumatic testing may be conducted by the provider or by an outside agency. All tests should be conducted in accordance with the Department's pneumatic testing guide, entitled "How to Test Respiratory Equipment." Copies of the guide are available for a fee from OEMS.+>>

<<+(c) The results of all pneumatic tests shall be kept on file at the provider's principal place of business.+>>

<<+(d) At the discretion of the Department, pneumatic testing conducted by approved outside agencies may be accepted for the purpose of vehicle licensure.+>>

<<+(e) Pneumatic testing shall be a part of any annual or biennial inspection for the purpose of licensure of a vehicle, and shall be performed prior to the initial licensure of any vehicle. Pneumatic testing may also be a part of any inspection, at the discretion of Department staff.+>>

<< NJ ADC 8:40-4.10 >>

<<+8:40-4.10 Physical behavioral restraints+>>

<<+(a) Patients shall not be placed and/or transported in physical behavioral restraints unless:+>>

<<+1. A physician or court has authorized the placement of the restraints;+>>

<<+2. The patient is in the custody of a law enforcement officer; or+>>

<<+3. The medical condition of the patient mandates transportation to, and treatment at, a health care facility, and the patient manifests such a degree of behavior that he or she:+>>

<<+i. Poses serious physical danger to himself or herself or to others; or+>>

<<+ii. Causes serious disruption to ongoing medical treatment that is necessary to sustain his or her life or to prevent disability.+>>

<<+(b) A patient placed in physical behavioral restraints shall not remain restrained for a period greater than one hour unless:+>>

<<+1. A physician or court has authorized the utilization of the restraints for longer than one hour; or+>>

<<+2. The patient is personally accompanied by a law enforcement officer.+>>

<<+(c) Physical behavioral restraints shall not be of a type, or utilized in a manner, that causes undue physical discomfort, harm or pain to a patient. Hard restraints, such as handcuffs, are specifically prohibited unless the law enforcement officer who applied the hard restraints or handcuffs personally accompanies the patient. A patient placed in any type of restraint shall be closely monitored to ensure that his or her airway is not compromised in any way. In no circumstance shall a patient be placed prone (that is,

face-down) on a stretcher while in restraints.+>>

<<+(d) The rationale for placing and/or transporting a patient in physical behavioral restraints, and the type of restraints utilized, shall be clearly stated in the patient care report.+>>

<< NJ ADC 8:40-4.11 >>

<<+8:40-4.11 Personal safety+>>

<<+(a) If a crewmember reasonably believes that his or her personal safety is in jeopardy, the crewmember should retreat from the scene and call for police assistance. A crewmember should return to the scene in order to assess and treat the patient only when the scene has been secured. Such retreat shall not be considered patient abandonment unless the crewmembers leave the scene and/or advise the dispatch center that they are available for other calls.+>>

<<+(b) Crewmembers shall not wear or carry any weapons or explosives while on duty. For the purpose of this chapter, the terms "weapons" and "explosives" include not only offensive weapons, but also defensive weapons such as stun guns, stun batons, air tasers, pepper spray, mace defensive spray and/or telescopic steel batons.+>>

<< NJ ADC 8:40-4.12 >>

<<+8:40-4.12 Guide dogs+>>

<<+In accordance with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq., seeing-eye dogs, service dogs, hearing ear dogs, companion dogs and/or guide dogs trained by a recognized agency or school to assist a blind, handicapped or hearing impaired person shall be permitted on any MAV or BLS ambulance where their presence is necessary to perform the duties for which they are trained.+>>

<<+SUBCHAPTER 5. SPECIFIC MOBILITY ASSISTANCE VEHICLE SERVICE REQUIREMENTS+>>

<< NJ ADC 8:40-5.1 >>

<<+8:40-5.1 Scope and purpose+>>

<<+(a) These rules shall apply to any person, public or private institution, agency, entity, corporation and/or business concern that operates, or seeks to operate, a mobility assistance vehicle service within the State of New Jersey. These rules serve to define the operational requirements of such a service, to provide for a uniform application of standards, and to specify the personnel, equipment, organization and other resources required to successfully operate the service.+>>

<<+(b) No person, public or private institution, agency, entity, corporation or business concern shall provide MAV services in any form or manner or utilize any vehicle as an MAV within the State of New Jersey until licensed by the Department.+>>

<< NJ ADC 8:40-5.2 >>

<<+8:40-5.2 Patient restrictions+>>

<<+(a) When "in-service," an MAV may be utilized to provide non-emergency health care transportation to sick, infirm or otherwise disabled persons:+>>

<<+1. Who are under the care or supervision of a physician or other recognized health

care provider;+>>

<<+2. Whose medical condition is not of sufficient magnitude or gravity to require transportation in a BLS ambulance, but does require transportation from place to place for medical care; and+>>

<<+3. Whose utilization of an alternate form of transportation, such as taxicab, bus, other public conveyance or private vehicle might create a serious risk to life and health. This shall include those persons who are either ambulatory or wheelchair-bound.+>>

<<+(b) An MAV shall not be utilized to provide transportation to persons who, based upon current medical condition or past medical history, require:+>>

<<+1. Transportation in a prone or supine position (including persons that are bed-or stretcher-bound);+>>

<<+2. Constant attendance due to a medical and/or mental condition;+>>

<<+3. Aspiration;+>>

<<+4. Management or observation of intravenous fluids and/or intravenous medications unless:+>>

<<+i. The device is totally self-sufficient, including medication supply and patient interface devices;+>>

<<+ii. The device requires no interaction or intervention by MAV crewmembers; and+>>

<<+iii. The device is of the type approved by the FDA for home administration of medications;+>>

<<+5. An automatic ventilator or whose breathing is ventilator assisted unless:+>>

<<+i. The device is totally self-sufficient (including gas supply and power source);+>>

<<+ii. The device requires no monitoring or interaction by MAV crewmembers; and+>>

<<+iii. The device is of the type approved for home utilization on patients;+>>

<<+6. Pre-hospital basic or advanced life support emergency medical care;+>>

<<+7. A BLS or ALS inter-facility transfer;+>>

<<+8. Treatment in the emergency department of an acute care hospital (for other than a set appointment or routine non-emergency follow-up care of a previously diagnosed condition);+>>

<<+9. Treatment in, or admission to, the obstetrical unit (labor and delivery suite) or the Intensive and/or coronary care unit of an acute care hospital; or+>>

<<+10. Transportation in physical behavioral restraints.+>>

<<+(c) Consistent with N.J.A.C. 8:40-5.3(c), a patient who is receiving oxygen from a portable supply routinely utilized by the patient may be transported in an MAV without the presence of an EMT-Basic, provided that there is no need for the MAV crewmember to monitor, regulate or control the oxygen system.+>>

<<+(d) An MAV shall not carry more than nine passengers at any given time.+>>

<<+(e) An MAV shall not be utilized as a BLS ambulance.+>>

<<+(f) When not "in-service," an MAV may be utilized to provide non-health care services, provided that the vehicle, equipment, supplies and crewmembers comply with the requirements of this chapter when "in-service" as an MAV.+>>

<< NJ ADC 8:40-5.3 >>

<<+8:40-5.3 Required crewmembers+>>

<<+(a) When "in-service," each MAV shall be staffed by at least one crewmember who meets the requirements of N.J.A.C. 8:40-4.1. A second crewmember, also meeting the same requirements, shall be required at the time the patient(s) is/are loaded or unloaded, if a patient in a wheelchair is to be moved up or down five or more steps or if a patient in a wheelchair weighs 200 or more pounds and is to be moved up or down two or more steps. The second crewmember need not be present at other times.+>>

<<+(b) If oxygen administration devices are not carried in the vehicle, the required MAV crewmembers shall possess and shall make available to Department staff upon demand:+>>

<<+1. A CPR certification card. Providers that routinely transport patients under eight years of age shall ensure that their MAV crewmembers have successfully completed the requirements for, and hold certification in, Pediatric Basic Life Support to the standards of the American Heart Association; and+>>

<<+2. A valid PAT (Passenger Assistance Techniques) Technician certification card issued by Transportation Management Associates, Fort Worth, Texas, or a valid certification card indicating completion of a course that is similar in content and curriculum that has been approved by the Department, consistent with the minimum program standards and course objectives set forth in chapter Appendix B; or a valid MAV (Mobility Assistance Vehicle) Technician certification card issued by Medical Transportation Association of New Jersey, or a valid certification card indicating completion of a course that is similar in content and curriculum that has been approved by the Department, consistent with the minimum program standards and course objectives set forth in chapter Appendix B.+>>

<<+(c) If oxygen administration devices are carried in the vehicle, except those instances where the patient supplies such devices, the crewmember shall possess both EMT-Basic and CPR certifications.+>>

<< NJ ADC 8:40-5.4 >>



<<+8:40-5.4 Crewmember duties+>>

<<+(a) The collective duties of the crewmembers staffing an MAV shall include, but are not limited to:+>>

<<+1. Assuring that all required and necessary equipment and supplies are onboard the vehicle and in working order prior to departure;+>>

<<+2. Operating the vehicle in a safe manner, starting and stopping the vehicle slowly and smoothly and complying with all applicable motor vehicle laws, rules and/or regulations;+>>

<<+3. Providing the patient with prompt, effective and appropriate care;+>>

<<+4. Assisting the patient to enter into and/or exit from the vehicle;+>>

<<+5. Supervising the well being of the patient and ensuring the patient's privacy and comfort;+>>

<<+6. Assuring that all vehicle occupants (patients, passengers and crewmembers) over eight years of age or under eight years of age but weighing more than 80 pounds are properly restrained, as medically appropriate, either in a wheelchair or in an automotive safety belt that meets all State standards including those set forth at N.J.S.A. 39:3-76.2 et seq. All children under eight years of age weighing less than 80 pounds, whether patients or passengers, shall be properly restrained, as medically appropriate, in a Federally-approved child restraint system as provided for at N.J.S.A. 39:3- 76.2a;+>>

<<+7. Assuring that all wheelchairs are properly restrained in the required restraints and that all wheelchair patients are restrained in the wheelchair in accordance with N.J.A.C. 8:40-5.6(c). Wheelchair patients are to be restrained with a seatbelt until the patient is transferred from the wheelchair at the patient's destination;+>>

<<+8. Prohibiting smoking within the vehicle at all times;+>>

<<+9. Completing the patient care report; and+>>

<<+10. Reporting verbally to the appropriate personnel when the patient is delivered to the receiving health care facility or other place of medical care.+>>

<< NJ ADC 8:40-5.5 >>

<<+8:40-5.5 Oxygen administration+>>

<<+(a) Oxygen administration devices may, but need not, be carried on an MAV. If carried, except in those instances where the patient supplies such devices, the MAV shall be staffed with at least one EMT-Basic, and the oxygen and related equipment shall meet the standards set forth at N.J.A.C. 8:40- 6.6.+>>

<<+(b) Each vehicle shall have a pocket-mask device, CPR mask with a one-way valve

or some other approved barrier protection device for utilization in the event that CPR is performed on a patient.+>>

<< NJ ADC 8:40-5.6 >>

<<+8:40-5.6 Patient transport devices+>>

<<+(a) Stretchers and/or patient litters shall not be carried on, or within, any MAV.+>>

<<+(b) There shall be a four-point forward facing wheelchair restraint system to secure and immobilize each occupied wheelchair transported in the vehicle. Vehicles first licensed after February 17, 1998 shall be equipped only with forward-facing wheelchair systems and patient seats. Vehicles first licensed on or before February 17, 1998 shall continue to be licensed with their configuration as of February 17, 1998.+>>

<<+1. The wheelchair restraint system shall secure and immobilize the frame of the wheelchair in a crashworthy manner and so that movement of the occupied wheelchair does not exceed one inch in any direction. The restraint system shall not be attached to the wheels of the wheelchair.+>>

<<+(c) Each wheelchair shall have a patient seatbelt that secures the patient into the wheelchair in a configuration similar to an automotive safety belt. Velcro [FN®]-type closures shall not be utilized. The seatbelt shall attach only to the wheelchair, not to the vehicle, and shall not be part of the wheelchair restraint system. The seatbelt shall be properly secured on the patient whenever the patient is in the wheelchair and under the care of the crewmembers, including moving the patient in and out of the vehicle, and transferring the patient to his or her destination.+>>

<< NJ ADC 8:40-5.7 >>

<<+8:40-5.7 Ramps and lifts+>>

<<+(a) There shall be an operable ramp or fully automatic lift for the safe entry and exit of occupied standard size wheelchairs. The ramp or lift shall be permanently fastened to the vehicle and be capable of accommodating a load of at least 500 pounds. When the vehicle is in transit, the ramp or lift shall be secured in a crashworthy manner and shall be positioned so as not to obstruct both of the patient compartment exterior doorways.+>>

<<+(b) The ramp or lift shall have a slip resistant surface, be structurally sound, free from defects and provide a rigid interlocking surface when being utilized.+>>

<<+(c) The lift, as well as any ramp that relies on electric, hydraulic or other power for its operation, shall be capable of manual operation by an unassisted person or there shall be a manually operated backup device. The manual backup device shall be capable of both lifting and lowering the patient and shall perform either function within five minutes.+>>

<< NJ ADC 8:40-5.8 >>

<<+8:40-5.8 Patient compartment requirements and dimensions+>>

<<+(a) Each vehicle utilized as an MAV shall have a patient compartment. There need not be a partition between the driver's seating area and the patient compartment.+>>

<<+(b) The patient compartment shall have the following dimensions:+>>

<<+1. Height: At least 58 inches between the floor and the ceiling, when measured above each wheelchair restraint position;+>>

<<+2. Width: At least 56 inches between the vehicle interior sides when measured at any point 42 inches above the floor. (The width of cabinets, etc. shall be included when measurements are made.) When "in-service" and transporting a wheelchair bound patient, all aisles shall be maintained at a width of at least 30 inches; and+>>

<<+3. Length: At least 92 inches between the interior surface of the rear door and the rear surface of the driver's seat or, if present, the surface of any bulkhead or partition, if three or four wheelchair positions are present. At least 82 inches between the interior surface of the rear door and the rear surface of the driver's seat or, if present, the surface of any bulkhead or partition, if one or two wheelchair positions are present.+>>

<<+(c) The patient compartment shall have at least two exterior doorways:+>>

<<+1. The two doorways shall not be adjacent to each other. Permissible configurations shall include one doorway on the passenger (or curb) side of the vehicle within the front half of the body of the vehicle, and the second doorway either at the rear of the vehicle, or on the driver's side of the vehicle, opposite the curbside door.+>>

<<+2. Each doorway opening shall be at least 28 inches wide and at least one doorway shall be at least 56 inches high in order to accommodate the required lift or ramp.+>>

<<+3. At least one patient compartment doorway shall be available for utilization as an emergency exit at all times. Access to patient compartment doorways shall not be obstructed by any immovable objects, except as permitted at N.J.A.C. 8:40-5.7(a).+>>

<<+4. The doors to each patient compartment doorway shall be capable of being opened and utilized from both inside the patient compartment and from the exterior of the vehicle, using a standard automotive industry door handle.+>>

<<+5. There shall be a window in each door of the patient compartment. Rear windows shall be fixed and non-opening.+>>

<<+(d) The patient compartment shall be equipped with a built-in lighting system. The lighting system shall utilize white or clear lenses. The lighting shall not interfere with the driver's vision and shall be located so that glare is not reflected into the driver's eyes or line of vision.+>>

<<+(e) Vehicles first licensed after February 17, 1998 shall be equipped with an integral roll cage or roll bar that is secured to the floor of the vehicle, or is otherwise certified by the manufacturer to provide occupant protection in the event of a rollover type collision.+>>

<<+(f) Once a vehicle is licensed by the Department, there shall be no further changes to the vehicle's interior configuration unless and until such changes have been approved, in writing, by OEMS.+>>

<<+(g) Each vehicle shall meet all applicable requirements set forth in the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101) and any current companion regulations as may be set forth in the Code of Federal Regulations.+>>

<< NJ ADC 8:40-5.9 >>

<<+8:40-5.9 Vehicle markings and emergency warning devices+>>

<<+(a) Each MAV shall bear the following markings:+>>

<<+1. The trade name (as it appears on the vehicle license) shall be visible on the two exterior sides of the vehicle in a size not less than four inches high;+>>

<<+2. The vehicle recognition number shall be visible on the rear and the two exterior sides of the vehicle in a size not less than three inches high; and+>>

<<+3. The International Symbol of Access for the Handicapped (that is, the outline form of a person in a wheelchair) shall be visible on the rear and the two sides of the vehicle in a size not less than eight inches high.+>>

<<+(b) The required markings shall appear in colors and shades that contrast with the background on which they appear so that they are clearly visible.+>>

<<+(c) To avoid the appearance of a BLS ambulance, MICU or SCTU, the following shall not appear on any MAV:+>>

<<+1. Symbols consisting of or resembling the "Star of Life," a Greek cross or a Maltese cross, or any symbol implying provision of advanced life support care; and/or+>>

<<+2. Words, or abbreviations of words, such as (but not limited to) "Advanced Life Support," "Basic Life Support," "Coronary Care," "Critical Care Transport Unit," "Emergency Medical Technician," "Intensive Care," "MICU," "Mobile Intensive Care," "Paramedic," "Special Care," "Specialty Care," "Specialty Care Transport Unit" or "Trauma."+>>

<<+(d) The words "Ambulance" or "Emergency" or an abbreviation of either word shall only appear when the word is part of the lawfully incorporated name of the provider.+>>

<<+(e) No MAV shall be equipped with, or appear to be equipped with, audible or visible emergency vehicle warning devices, including, but not limited to, red lights and sirens. Only authorized emergency vehicles as defined at N.J.S.A. 39:1-1 and N.J.A.C. 13:24-1.1 may be equipped with emergency vehicle warning devices.+>>

<< NJ ADC 8:40-5.10 >>

<<+8:40-5.10 Two-way communications+>>

<<+(a) Each MAV shall have at least one form of two-way communications. However, no MAV shall be equipped with a JEMS radio.+>>

<<+(b) The following radio frequencies shall not be utilized in two-way communications to, or from, an MAV:+>>

<<+1. Any of the UHF radio frequencies known as "Med 1" through "Med 10" and "MED A" through "MED X";+>>

<<+2. Any of the VHF radio frequencies listed in Appendix A of this chapter, incorporated herein by reference; and/or+>>

<<+3. Any of the following radio frequencies: 155.280 MHz, 155.340 MHz, 153.785 MHz.+>>

<<+(c) All two-way communications shall comply with all applicable Federal Communications Commission (FCC) rules and regulations. The Department shall be provided with a copy of any FCC license(s) issued to the provider.+>>

<<+(d) No provider shall engage in any communications activity that causes harmful interference with the EMS communications system. For the purpose of this section, harmful interference is defined as:+>>

<<+1. A complaint found by OEMS to be valid of radio interference from a service provider operating in accordance with the JEMS Communications Plan; and/or+>>

<<+2. A finding by the Department or the FCC that the provider's communications are causing harmful interference.+>>

<<+SUBCHAPTER 6. SPECIFIC BASIC LIFE SUPPORT AMBULANCE SERVICE REQUIREMENTS+>>

<< NJ ADC 8:40-6.1 >>

<<+8:40-6.1 Scope and purpose+>>

<<+(a) These rules shall apply to any person, public or private institution, agency, entity, corporation and/or business concern that operates, or seeks to operate, a BLS ambulance service within the State of New Jersey. These rules serve to define the operational requirements of such a service, to provide for a uniform application of standards, and to specify the personnel, equipment, organization and other resources required to successfully operate the service.+>>

<<+(b) No person, public or private institution, agency, entity, corporation or business concern shall provide BLS ambulance services in any form or manner or utilize any vehicle as a BLS ambulance within the State of New Jersey unless licensed by the Department.+>>

<< NJ ADC 8:40-6.2 >>

<<+8:40-6.2 Patient restrictions+>>

<<+(a) When "in-service," a BLS ambulance may be utilized to provide pre- hospital basic life support emergency medical care, or non-emergency medical care and transportation (including BLS inter-facility transfers) to sick, infirm or otherwise disabled persons who are under the care or supervision of a physician or other recognized health care provider. This shall include those persons who require:+>>

<<+1. Transportation in a prone or supine position;+>>

<<+2. Constant attendance due to a medical and/or mental condition;+>>

<<+3. Aspiration;+>>

<<+4. Emergency medical services or other medical services, including, but not limited to, BLS inter-facility transfers;+>>

<<+5. Treatment in the emergency department of an acute care hospital (for other than a set appointment or routine non-emergency follow-up care of a previously diagnosed condition);+>>

<<+6. Treatment in, or admission to, the obstetrical unit (labor and delivery suite) or the Intensive and/or coronary care unit of an acute care hospital; or+>>

<<+7. Transportation in physical behavioral restraints.+>>

<<+(b) When "in-service," a BLS ambulance shall not be utilized to provide ALS inter-facility transfers or pre-hospital advanced life support emergency medical care.+>>

<<+(c) When not "in-service" as a BLS ambulance, a vehicle may be utilized as an SCTU or MICU, provided that the vehicle is licensed, staffed and equipped in accordance with the standards for an SCTU or MICU, as applicable, as set forth at N.J.A.C. 8:41.+>>

<< NJ ADC 8:40-6.3 >>

<<+8:40-6.3 Required crewmembers+>>

<<+(a) When "in-service," each BLS ambulance shall be staffed with a minimum of two EMTs-Basic.+>>

<<+1. A provisionally certified EMT-Basic, as identified at N.J.A.C. 8:40A-7.4, may serve as a third crewmember, but shall not be utilized to meet the minimum crewmember requirements set forth in (a) above.+>>

<< NJ ADC 8:40-6.4 >>

<<+8:40-6.4 Crewmember duties+>>

<<+(a) The collective duties of the crewmembers staffing a BLS ambulance shall include, but are not limited to:+>>

<<+1. Assuring that all required and necessary equipment and supplies are onboard the vehicle and in working order prior to departure;+>>

<<+2. Operating the vehicle in a safe manner, starting and stopping the vehicle slowly and smoothly and complying with all applicable motor vehicle laws, rules and/or regulations;+>>

<<+3. Providing the patient with prompt, effective and appropriate medical care;+>>

<<+4. If necessary, extricating the patient from confinement;+>>

<<+5. Loading and unloading the patient from the vehicle;+>>

<<+6. Assuring that the patient is attended to by at least one crewmember at all times;+>>

<<+7. Continually monitoring the patient's condition and equipment;+>>

<<+8. For seriously ill or injured patients, notifying the receiving health care facility prior to arrival that special professional services and/or assistance will be needed;+>>

<<+9. Complying with all applicable laws, rules and/or regulations pertaining to universal precautions, body substance isolation procedures and the handling of the deceased;+>>

<<+10. Supervising the well being of the patient and ensuring the patient's privacy and comfort;+>>

<<+11. Assuring that all vehicle occupants (patients, passengers and crewmembers) over eight years of age or under eight years of age but weighing more than 80 pounds are properly restrained, as medically appropriate, either on a stretcher or in an automotive safety belt that meets all State standards including those set forth at N.J.S.A. 39:3-76.2 et seq. All children under eight years of age weighing less than 80 pounds, whether patients or passengers, shall be properly restrained, as medically appropriate, either in a Federally-approved child restraint system as provided for at N.J.S.A. 39:3-76.2a or on a stretcher. The crewmembers need not wear an automotive safety belt when providing essential life support such as CPR;+>>

<<+12. Assuring that all equipment and patient transport devices are safely and properly stored and/or restrained in a crashworthy manner;+>>

<<+13. Completing the patient care report;+>>

<<+14. Reporting verbally and leaving a complete copy of the patient care report with the appropriate personnel when the patient is delivered to the receiving health care facility; and+>>

<<+15. Prohibiting smoking within the vehicle at all times.+>>

<< NJ ADC 8:40-6.5 >>

<<+8:40-6.5 Basic equipment and supplies+>>

<<+(a) When "in-service," each BLS ambulance shall be equipped with the following equipment and supplies:+>>

<<+1. A diaphragm-type stethoscope;+>>

<<+2. An aneroid-type blood pressure manometer and one each adult size cuff, obese adult size cuff and pediatric size cuff;+>>

<<+3. At least four oropharyngeal airways, consisting of one each in large adult, adult, pediatric and infant sizes;+>>

<<+4. Two fluid ounces of glucose in a form easily ingested by mouth;+>>

<<+5. Two cloth blankets and two cloth or disposable sheets at least 60 inches by 80 inches in size;+>>

<<+6. Two penlights suitable for patient examination;+>>

<<+7. Two sets of eye protection or goggles, in addition to any set utilized in the obstetrical emergency delivery kit;+>>

<<+8. Four towels;+>>

<<+9. At least four red "biohazard" type bags utilized for disposal of untreated regulated medical waste. The "biohazard" bags shall meet the requirements set forth at N.J.A.C. 7:26-3A.11 and shall only be utilized for untreated regulated medical waste materials and shall be disposed of after utilization in accordance with all applicable laws, rules and/or regulations;+>>

<<+10. Respiratory protection masks that are effective in filtering airborne pathogens and at least one box of single-use personal protective gloves that do not allow blood or other potentially infectious materials to pass through. Gloves and masks shall meet the standards for personal protective equipment set forth at 29 C.F.R. 1910.1030, incorporated herein by reference, and shall be disposed of after utilization in accordance with all applicable laws, rules and/or regulations;+>>

<<+11. Two sets of personal protective isolation garments, including gowns and masks;+>>

<<+12. Wound dressing and burn treatment supplies, to include;+>>

<<+i. Twelve conforming roller bandages measuring at least three inches wide by five yards long;+>>

<<+ii. Twelve triangular bandages (cravats) measuring at least 36 inches by 36 inches by 51 inches when unfolded;+>>

<<+iii. Four sterile, individually wrapped universal (or multi-trauma) dressings measuring at least nine inches by 30 inches when unfolded;+>>

<<+iv. Twenty-four sterile, individually wrapped gauze pads measuring at least four inches by four inches;+>>

<<+v. Two rolls of medical adhesive type tape;+>>

<<+vi. Four sterile, individually wrapped occlusive dressings or one sterilized roll of aluminum foil;+>>



<<+vii. Two sterile, individually wrapped burn sheets;+>>

<<+viii. One liter sterile saline solution in a plastic container (for flushing injury sites). Saline solution shall be fresh (not expired); and+>>

<<+ix. Trauma or bandage scissors; and+>>

<<+13. A sterile obstetrical emergency delivery kit. The items may be individually wrapped or be contained in a "pack." Any pack shall have an exterior itemized list of contents. The kit shall contain the following items:+>>

<<+i. Four towels;+>>

<<+ii. Twelve sterile gauze compresses measuring four inches by four inches;+>>

<<+iii. Four sterile umbilical cord clamps;+>>

<<+iv. One sterile bulb syringe made of soft rubber (for newborn aspiration);+>>

<<+v. One receiving blanket;+>>

<<+vi. One pair of sterile scissors or a sterile scalpel;+>>

<<+vii. At least one set of eye protection or goggles; and+>>

<<+viii. Four pairs of sterile surgical gloves.+>>

<<+(b) A current copy of the Department's "Pediatric Assessment" chart shall be posted in the patient compartment of each BLS ambulance. Copies of the chart are available from OEMS.+>>

<<+(c) Each BLS ambulance may, within the limits and exclusions set forth in this chapter, be equipped with such other equipment and supplies as the provider deems necessary for the provision of BLS treatment, provided that no equipment or supplies shall be carried that would permit an EMT-Basic to render care beyond his or her scope of practice (for example, rendering advanced life support care) and/or in violation of the New Jersey Medical Practice Act, N.J.S.A. 45:9-1 et seq.+>>

<<+(d) To the extent possible, all providers should attempt to equip their vehicles with latex-free equipment and supplies in order to accommodate those patients that may have latex allergies.+>>

<<+(e) Expended supplies and/or damaged equipment shall be replaced as soon as possible after utilization. Equipment may be temporarily left on/with a patient, when medically necessary.+>>

<<+(f) Any supplies that have sterility or expiration dates shall not be carried after the date the manufacturer or processor has affixed as the expiration date for the item.+>>

<<+(g) Supplies stored in cabinets shall either be clearly visible through the door of the cabinet or identifiable by a way of a list of contents posted on that cabinet.+>>

<< NJ ADC 8:40-6.6 >>

<<+8:40-6.6 Oxygen administration+>>

<<+(a) Each BLS ambulance shall be equipped with both an installed and a portable oxygen system, as well as one reserve oxygen cylinder with a capacity of at least 300 liters.+>>

<<+1. Each oxygen system shall be capable of delivering oxygen to a patient at a rate of at least 15 liters per minute during the entire time the patient is aboard the vehicle.+>>

<<+2. Each oxygen system shall have an oxygen flowmeter. Each flowmeter shall have a gauge or dial with a range of at least 0 to 15 liters per minute (lpm) in calibrated increments. The flowmeter on the portable system shall not be gravity dependent. Flowmeters shall be accurate to within 1.0 lpm when at a setting equal to or less than 5.0 lpm, 1.5 lpm when at a setting between 6.0 lpm and 10 lpm and within 2.0 lpm when at a setting equal to or greater than 11 lpm. Non-dial-type flowmeters shall take at least one full turn to go from 0 to 15 lpm. Indicators on dial-type flowmeters shall be securely seated at each flow rate position.+>>

<<+3. Each oxygen cylinder shall:+>>

<<+i. Contain only medical grade oxygen;+>>

<<+ii. Be color-coded green;+>>

<<+iii. Be contained in a U.S. Department of Transportation (U.S.D.O.T.) approved cylinder that has a valid hydrostatic testing date on it, in accordance with U.S.D.O.T. regulations; and+>>

<<+iv. Be tagged ("Full," "In Use," "Empty") or have a pressure indicating gauge attached to the cylinder.+>>

<<+4. The installed oxygen system shall be capable of safely storing and supplying a minimum of 3,000 liters of medical oxygen. The oxygen cylinder controls shall be accessible from inside the vehicle. Cylinder opening handles or wrenches shall be affixed to, or shall be chained and clipped with, the oxygen cylinder. Any oxygen piping and/or hose shall be nonferrous and shall be suitable for medical oxygen. All installed oxygen cylinders shall be retained in an oxygen tank holder certified by the manufacturer to comply with AMD Standard 003 Oxygen Tank Retention System.+>>

<<+5. The portable oxygen system shall be capable of safely storing and supplying 300 liters of medical oxygen. Cylinder opening handles or wrenches shall be chained to the regulator or affixed to the cylinder. All oxygen storage arrangements shall comply with applicable provisions of Federal Specifications for Ambulances, KKK-A-1822, "Portable Oxygen Unit."+>>

<<+6. Consistent with N.J.A.C. 8:40-4.4(d)7, the portable oxygen system, reserve

oxygen cylinder and any portable positive pressure flow- restricted oxygen-powered ventilation devices (FROPVDs) shall be stored in a crashworthy manner.+>>

<<+(b) Each BLS ambulance shall be equipped with at least one each adult, pediatric and infant sized bag-valve-mask devices.+>>

<<+1. Each bag-valve-mask device shall:+>>

<<+i. Have a self-refilling bag without sponge rubber inside;+>>

<<+ii. The mask shall be constructed of clear material, shall be clean and free of contamination and leaks, shall have an oxygen supply (reservoir) system and shall be capable of providing adequate resuscitation pressures. Bag-valve-mask devices for adult patients shall be capable of deflating/refilling at least 20 times per minute at room temperature and shall have a minimum volume of 1,600 mL. Bag-valve-mask devices for pediatric patients shall be capable of deflating/refilling at least 30 times per minute at room temperature and shall have a minimum volume of 1,000 mL. Bag-valve- mask devices for infant patients shall be capable of deflating/refilling at least 40 times per minute at room temperature and shall have a minimum volume of 450 mL;+>>

<<+iii. Any bag-valve-mask device that has a "pop off" valve shall have a device to easily defeat the valve; and+>>

<<+iv. Be equipped with a true non-rebreathing valve and have 15/22 mm fittings.+>>

<<+(c) Each BLS ambulance shall be equipped with at least three transparent domed resuscitation facemasks (one each in large adult, medium adult and pediatric size) with 22 mm fittings for utilization with the bag-valve-mask device and/or positive pressure flow-restricted oxygen-powered ventilation devices (FROPVD).+>>

<<+1. There shall be at least three clear adult size non-rebreathing valve inhalation masks with an oxygen reservoir of the single service type as approved for pre-hospital utilization and two single service cannulas. If oxygen humidifiers (or nebulizers) are utilized, a new, unused single service humidifier (or nebulizer) shall be utilized for each patient.+>>

<<+(d) A BLS ambulance may, but need not, carry an installed and/or portable positive pressure FROPVD. If carried, the positive pressure FROPVD shall provide 100 percent oxygen, have an instantaneous flow rate between 35 and 45 liters per minute, deliver an inspiratory pressure between 55 and 65 cm water pressure and have standard 15/22 mm fittings.+>>

<< NJ ADC 8:40-6.7 >>

<<+8:40-6.7 Aspirator/suction equipment+>>

<<+(a) Each BLS ambulance shall be equipped with both an installed and a portable aspirator.+>>

<<+1. Each aspirator shall be equipped with a non-breakable collection bottle and at least three feet of transparent or translucent non-collapsible suction tubing with an interior

bore of at least one-quarter inch. Three- eighths of an inch bore is recommended. There shall be at least one Yankauer- type suction instrument and at least eight suction catheters for each aspirator, in not less than four assorted adult and pediatric sizes. At least one catheter shall be a size "8" and one shall be a size "18." An infant bulb syringe, in addition to the one carried in the obstetrical kit, shall also be carried.+>>

<<+2. The installed aspirator shall be powered by the vehicle's electrical system and shall be securely mounted and located so as to allow easy access for aspiration of any stretcher bound patient. The aspirator shall provide a flow rate of at least 30 liters per minute at the end of the suction tube and a vacuum pressure of at least 300 mmHg within four seconds and a maximum vacuum pressure of at least 400 mmHg during the entire normal range of vehicle operation.+>>

<<+3. The portable aspirator shall be powered by an integral battery. The aspirator shall provide a flow rate of at least 25 liters per minute at the end of the suction tube and a vacuum pressure of at least 300 mmHg within four seconds and a maximum vacuum pressure of at least 400 mmHg for at least 20 minutes. BLS ambulances that utilize aspirators that are powered by field replaceable batteries shall carry a sufficient supply of batteries to permit the device to operate continuously and, in accordance with Federal Specifications for Ambulances, KKK-A-1822, "Portable Suction Aspirator," to meet the flow and vacuum pressure requirements for at least 20 minutes.+>>

<< NJ ADC 8:40-6.8 >>

<<+8:40-6.8 Patient transport devices+>>

<<+(a) Each BLS ambulance shall be equipped with:+>>

<<+1. A wheeled patient litter for the transport of stretcher-bound patients. The litter shall be at least 72 inches long (when flat) and at least 20 inches wide. The litter shall have a commercially manufactured stretcher mattress. The litter and mattress shall be adjustable from a flat to a semi- sitting position. The litter shall be adjustable from a minimum height of nine to 18 inches to a maximum height of 33 to 40 inches measured to the top of the mattress. There shall be clean linens on the litter;+>>

<<+2. A portable stretcher for the safe transport of stretcher-bound patients up and down flights of stairs. The stretcher may be of the Reeves [FN®] type, folding type or of the combination stretcher/stair-chair type. Reeves [FN®]-type stretchers are required on BLS ambulances utilized to provide emergency response; and+>>

<<+3. A portable stair-chair for the safe transport of patients up and down flights of stairs. A combination stretcher/stair-chair device shall be sufficient to meet the requirements of both (a)2 above and this paragraph.+>>

<<+(b) Each patient litter and portable stretcher shall have three sets of two-inch wide patient restraints with quick release buckles positioned at the chest, waist and knees. The quick release buckles may be of the "slide through" or "metal to metal" type. (Reeves [FN®]-type stretchers may have other types of buckles.) Each stair-chair shall have two

sets of two-inch wide safety restraints with quick release metal buckles. Velcro [FN®]-type closures shall not be utilized.+>>

<<+(c) When the vehicle is in motion, all occupied litters and stretchers shall be restrained by a litter fastener. The litter fastener shall be certified by the manufacturer to comply with AMD Standard 004 Litter Retention System in effect at the time of manufacture.+>>

<<+(d) Wheelchairs shall not be utilized or transported in a BLS ambulance while it is "in-service."+>>

<< NJ ADC 8:40-6.9 >>

<<+8:40-6.9 Spine boards, orthopedic litter and splints+>>

<<+(a) Each BLS ambulance shall be equipped with the following:+>>

<<+1. One long spine board made of impervious, inflexible material, 72 inches long by 16 inches wide with associated strap holes and full-length three-quarter inch runners, or another configuration that protects the crewmembers' hands from injury during patient movement;+>>

<<+2. A commercially available vest-type upper spinal immobilization device (for example, K.E.D. [FN®]), approved by the FDA for utilization by EMTs-Basic;+>>

<<+3. Four straps, measuring two inches wide by nine feet long with quick release type metal buckles. ("Slide-through" type strongly recommended.) Velcro [FN®]-type closures shall not be utilized. The vehicle may substitute three clip-on type straps in place of the required straps if the vehicle is equipped with a long spine board that utilizes such straps. A commercial backboard restraint may also be substituted for the straps (for example, Spider Straps [FN®]);+>>

<<+4. One orthopedic litter at least 78 inches long (when extended) by at least 16 inches wide. It shall open/close (separate/rejoin) along its long axis into two halves;+>>

<<+5. Six rigid cervical collars of a type approved by the FDA for pre-hospital utilization by EMTs-Basic (for example, StifNeck [FN®] or Philadelphia-type) in at least three different sizes, one of which shall be of a size to accommodate pediatric patients;+>>

<<+6. One head restraint system, utilized to immobilize a patient's head while the patient is restrained on a backboard, of a type approved by the FDA for pre-hospital utilization by EMTs-Basic. Sandbags shall not be utilized as spinal immobilization devices;+>>

<<+7. A minimum of six splinting devices (for example, padded board splints which are impervious to bodily fluids, blood and other potentially infectious materials, selected commercial fracture products), in a variety of sizes suitable for splinting arms and/or legs; and+>>

<<+8. One adult size, lower extremity traction splint approved by the FDA for pre-hospital utilization by EMTs-Basic, complete with all associated straps, heel stand

windlass, and accessories, or other devices approved by the Commissioner.+>>

<< NJ ADC 8:40-6.10 >>

<<+8:40-6.10 Patient compartment requirements and dimensions+>>

<<+(a) Each vehicle utilized as a BLS ambulance shall have a distinct patient compartment. The patient compartment shall be separated from the driver's seating area by a bulkhead or partition, which may include a passageway.+>>

<<+(b) The patient compartment shall have the following interior dimensions:+>>

<<+1. Height: At least 54 inches between the floor and the ceiling when measured at, or near, the center of the patient compartment;+>>

<<+2. Width: At least 56 inches between the vehicle interior sides when measured at any point 52 inches above the floor. The width of cabinets, etc., shall be included when measurements are made;+>>

<<+3. Length: At least 116 inches between the interior surface of the rear door and the surface of the bulkhead or partition, when measured at floor level; and+>>

<<+4. There shall be an aisle at least 10 inches wide next to the required patient litter.+>>

<<+(c) The patient compartment shall have at least two exterior doorways:+>>

<<+1. The two doorways shall not be adjacent to each other. One doorway shall be at the rear of the vehicle; the other at the curbside of the vehicle. The curbside doorway shall be within the front half of the vehicle;+>>

<<+2. Each doorway opening shall be at least 28 inches wide and at least 44 inches high;+>>

<<+3. At least one patient compartment doorway shall be available for utilization as an emergency exit at all times. Access to the patient compartment doorways shall not be obstructed by any immovable objects;+>>

<<+4. The doors to each patient compartment doorway shall be capable of being opened and utilized from both inside the patient compartment and from the exterior of the vehicle, using a standard automotive industry door handle; and+>>

<<+5. There shall be a window in each door of the patient compartment. Rear windows shall be fixed and non-opening.+>>

<<+(d) The patient compartment shall be equipped with a built-in lighting system. The lighting system shall utilize white or clear lenses. The lighting system shall not interfere with the driver's vision and shall be located so that glare is not reflected into the driver's eyes or line of vision.+>>

<<+(e) The patient compartment shall be equipped with two seats, one of which shall be

at the head of the required patient litter and face rearward and the other of which shall be alongside the patient litter. Each seat shall be equipped with an automotive safety belt.+>>

<<+(f) Once a vehicle is licensed by the Department, there shall be no further changes to the vehicle's interior configuration unless and until such changes have been approved, in writing, by OEMS.+>>

<<+(g) Each vehicle shall meet all applicable requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101.+>>

<< NJ ADC 8:40-6.11 >>

<<+8:40-6.11 Vehicle certification to Federal specifications+>>

<<+(a) Each BLS ambulance shall be certified to meet the version of Federal Specifications for Ambulances, KKK-A-1822, which was current at the time the vehicle was manufactured. The certification shall be made by the vehicle manufacturer or converter in accordance with applicable paragraphs of the Federal KKK-A-1822 specifications.+>>

<<+(b) The following exceptions to the Federal KKK-A-1822 specifications are permitted. Inclusion of the following items on a BLS ambulance is optional:+>>

<<+1. Spare tire and storage;+>>

<<+2. Tools for changing a tire;+>>

<<+3. 115 volt AC utility power;+>>

<<+4. Utility power connector;+>>

<<+5. Electrical 115 volt VAC receptacles;+>>

<<+6. Solid state inverter;+>>

<<+7. Spotlight;+>>

<<+8. Exterior storage accommodation;+>>

<<+9. Extrication equipment and storage;+>>

<<+10. Color, paint and finish; and+>>

<<+11. Color standards and tolerances.+>>

<<+(c) The following exceptions to the Federal KKK-A-1822 specifications are permitted, within the parameters noted:+>>

<<+1. BLS ambulance emergency lighting: The provider may specify emergency lights other than those required in the Federal specifications, but all exterior lighting shall be in accordance with standards for authorized emergency vehicles, as set forth at N.J.A.C.

13:24;+>>

<<+2. Suction aspirators: The installed and portable aspirators (suction units) shall meet the standards of this chapter; and+>>

<<+3. Emblems and markings: The purchaser of the vehicle may specify the location of additional lettering and markings beyond those required under the Federal specifications, so long as they are consistent with the limitations set forth in this chapter.+>>

<< NJ ADC 8:40-6.12 >>

<<+8:40-6.12 Vehicle markings and emergency warning devices+>>

<<+(a) Each BLS ambulance shall bear the following markings:+>>

<<+1. The trade name (as it appears on the vehicle license) shall be visible on the two exterior sides of the vehicle in a size not less than four inches high;+>>

<<+2. The vehicle recognition number shall be visible on the rear and the two exterior sides of the vehicle in a size not less than three inches high;+>>

<<+3. The words "Ambulance" or "Emergency Medical Services" shall be in mirror image, centered above the grill, on the front of the vehicle in a size not less than four inches high and on each side and on the rear of the vehicle body in a size not less than six inches high. The words "Ambulance" or "Emergency Medical Services" may be separate from, or may be incorporated in, the trade name required in (a)1 above;+>>

<<+4. Block-type blue, "Star of Life" shall be located both to the right and left of the word "Ambulance" on the front of the vehicle in a size not less than three inches high on a four-inch by four-inch white field; and+>>

<<+5. Block-type blue, "Star of Life" shall be visible on each side of the vehicle in a size not less than 16 inches high. A block-type blue, "Star of Life" shall be provided on each rear door window glass or on rear door panels in a size not less than 12 inches high. If installed on the rear door window glass, the "Star of Life" shall be translucent or "cut-out." +>>

<<+(b) Providers that contract with an acute care hospital or similar health care facility to provide a vehicle for the exclusive utilization of a service provided by that facility may place the name of the facility on the vehicle dedicated to that service, subject to the following;+>>

<<+1. The vehicle is utilized exclusively for the health care facility;+>>

<<+2. The name of the facility appears in letters no larger than three inches high;+>>

<<+3. The name appears on the lower half of the vehicle; and+>>

<<+4. The name of the facility is preceded by the words "associated with" or similar language that allows the public to identify the provider.+>>



<<+(c) The required markings shall appear in colors and shades that contrast with the background on which they appear so that they are clearly visible.+>>

<<+(d) The symbol of a Maltese cross shall not appear on a BLS ambulance, unless the vehicle is operated by a fire department.+>>

<<+(e) The words "Advanced Life Support," "Critical Care Transport Unit," "Coronary Care," "EMT-Paramedic," "Intensive Care," "Mobile Intensive Care," "Mobile Intensive Care Unit," "Paramedic," "Special Care," "Specialty Care," "Specialty Care Transport Unit," abbreviations of such words, or any other wording which would imply the provision of advanced life support care shall appear only when the provider is licensed in accordance with the provisions of N.J.A.C. 8:41 to provide mobile intensive care or specialty care transport services.+>>

<<+(f) Each BLS ambulance shall be equipped with emergency warning devices, including red lights and a siren, so that it meets the definition of an authorized emergency vehicle as defined at N.J.S.A. 39:1-1 and N.J.A.C. 13:24-1.1. Emergency warning devices shall only be utilized in strict compliance with N.J.A.C. 13:24-2.8.+>>

<< NJ ADC 8:40-6.13 >>

<<+8:40-6.13 Two-way communications+>>

<<+(a) Each BLS ambulance shall be equipped with communications equipment, including at least one mobile radio, with the following minimum features:+>>

<<+1. Two-way, VHF high-band with Effective Radiated Power (ERP) as approved by the FCC;+>>

<<+2. Selection, transmission and receipt on each of the required JEMS radio frequencies from the driver's compartment;+>>

<<+3. Transmission and receipt of each of the required JEMS radio frequencies from the patient compartment. While only one radio is required, there shall be a microphone and speaker in both the driver and the patient compartments; and+>>

<<+4. A functional, dual-tone, multi-frequency encoder in either the driver's or the patient compartment.+>>

<<+(b) Each BLS ambulance utilized to provide emergency response shall be equipped with at least one portable radio with the following minimum features:+>>

<<+1. Two-way, VHF high-band with ERP as approved by the FCC; and+>>

<<+2. Selection, transmission and receipt on each of the required JEMS radio frequencies from the driver's compartment.+>>

<<+(c) All radios shall be capable of transmitting and receiving on the following JEMS frequencies with automatic Continuous Tone Coded Sub-audible Squelch (CTCSS) disable in carrier squelch mode:+>>

<<+1. 155.340 MHz (JEMS 2 frequency/BLS ambulance-to-Emergency Department);+>>

<<+2. 155.280 MHz (JEMS 3 frequency/Statewide EMS coordination); and+>>

<<+3. 153.785 MHz (JEMS 4 or SPEN 4 frequency/Statewide public safety coordination for police, fire and EMS).+>>

<<+(d) In addition, radios carried on BLS ambulances utilized to provide emergency response shall be capable of transmitting and receiving on the JEMS 1 frequency (local EMS dispatch and CTCSS as listed in Appendix A of this chapter).+>>

<<+1. The JEMS 1 frequency shall not be utilized in two-way communications to, or from, any BLS ambulance for any purpose other than access to a regional coordinating center to obtain mutual aid or advanced life support care, or for the dispatch of BLS ambulances providing emergency response to a municipal jurisdiction (other business uses are prohibited).+>>

<<+(e) The JEMS 2 frequency shall only be utilized for essential communications between a BLS ambulance and the Emergency Department of an acute care hospital.+>>

<<+(f) The JEMS 3 frequency shall only be utilized for essential communications between cooperating BLS ambulances and as a secondary dispatch channel for BLS ambulances providing emergency response to a municipal jurisdiction.+>>

<<+(g) The JEMS 4 frequency shall only be utilized for purpose of Statewide public safety coordination for police, fire and EMS.+>>

<<+(h) None of the UHF radio frequencies known as "Med 1" through "Med 10" and "MED A" through "MED X" shall be utilized in two-way communications to, or from, any BLS ambulance.+>>

<<+(i) All two-way communications shall comply with all applicable Federal Communications Commission (FCC) rules and regulations. The Department shall be provided with a copy of any FCC license(s) issued to the provider.+>>

<<+(j) No provider shall engage in any communications activity that causes harmful interference with the EMS communications system.+>>

<<+(k) A provider that is a participant in a local, county or regional disaster plan shall have the appropriate two-way communications elements that would enable it to carry out its role under the plan.+>>

<<+(l) Any radio carried or installed in compliance with this chapter shall have either a succinct list of frequencies attached (if portable) or in the immediate proximity (if installed), or shall have an alpha-numeric display of the frequency selected either by listing the frequency or the common name (for example, "JEMS 2" may be substituted for 155.340 MHz).+>>

<< NJ ADC 8:40-6.14 >>

<<+8:40-6.14 Disaster planning+>>

<<+(a) Each provider that provides service to a political subdivision or a government installation shall participate, in conjunction with the applicable Office of Emergency Management, in the development of an emergency medical services plan or an annex to a basic disaster plan. The emergency medical services plan/annex shall be reviewed and tested at least once a year. Employees shall be informed of their responsibilities under the

plan at least once a year. The provider shall conduct an analysis of equipment and personnel at least twice a year to determine its capabilities to respond to emergencies that can reasonably be expected to occur in its service area.+>>

<<+(b) The provider shall describe in the plan/annex the specific means that shall be utilized to summon off-duty personnel and mutual aid BLS ambulances.+>>

<<+(c) Each BLS ambulance that serves a political subdivision or government installation or responds to motor vehicle accidents shall carry 50 medical emergency triage tags (METTAG [FN®]) for utilization in patient identification and triage during mass casualty incidents.+>>

<<+(d) All BLS ambulances utilized to provide emergency response or that routinely respond to motor vehicle accidents shall be equipped with a current U.S. Department of Transportation Guidebook for Initial Response to Hazardous Materials Incidents, as well as a copy of the applicable local emergency operations plan (EMS Annex).+>>

<< NJ ADC 8:40-6.15 >>

<<+8:40-6.15 Additional requirements for BLS ambulance services providing emergency response+>>

<<+(a) Each BLS ambulance service that provides emergency response shall utilize the services of a medical director.+>>

<<+1. The medical director shall be a physician who is licensed by the New Jersey State Board of Medical Examiners to practice medicine and surgery.+>>

<<+2. The medical director shall be responsible for providing medical consultation (as needed), as well as medical quality assurance oversight regarding the administration of BLS services by the provider's crewmembers.+>>

<<+i. Medical quality assurance oversight shall include, but is not limited to, review of utilization of the AED, as well as interpretation of treatment protocols and documentation standards.+>>

<<+(b) Each BLS ambulance utilized to provide emergency response shall carry the following equipment on board at all times:+>>

<<+1. An AED;+>>

<<+2. Equipment that allows crewmembers to access entrapped patients of motor vehicle collisions in the event that the agency responsible for vehicle extrication for the jurisdiction has not arrived on the scene. At a minimum, this shall include:+>>

<<+i. A spring-loaded center punch;+>>

<<+ii. One each standard size (that is, approximately six inches) flathead and Phillips-type screwdriver;+>>

<<+iii. A prying lever or "crow bar";+>>

<<+iv. An automotive safety belt cutter; and+>>

<<+v. At least two protective multi-use jackets that are both fire and tear resistant, as well as two sets of gloves, head and eye protection that, at a minimum, meet the requirements set forth at 29 C.F.R. 1910.132 et seq. BLS ambulance services that provide emergency response only to long-term care facilities shall be exempt from this requirement;+>>

<<+3. At least five nasopharyngeal airways in assorted sizes, and a water- soluble lubricant for utilization with the airways; and+>>

<<+4. At least one spotlight, which may be handheld.+>>

<<+(c) A BLS ambulance service that provides emergency response that is not also the provider of vehicle extrication services in the municipal jurisdiction that it serves shall identify the provider of extrication services in its standard operating procedures (SOP) manual, and shall develop policies to adequately permit the safe interaction of the crewmembers and the other agencies at the scene of an emergency.+>>

<<+(d) A BLS ambulance service providing emergency response to a jurisdiction shall provide the Department with written notification of which jurisdictions are to be serviced at least seven calendar days prior to the starting date of service.+>>

<<+(e) A BLS ambulance service providing emergency response shall:+>>

<<+1. Maintain at least one additional back-up BLS ambulance, which can be utilized to provide emergency response;+>>

<<+2. Develop a plan for continuous quality assurance of the services that it provides. This plan shall include quality indicators such as, but not limited to, dispatching of vehicles, safe driving, quality of medical care provided, documentation, utilization of advanced life support care, triage of patients and other areas the provider identifies as necessary. This plan shall include an identified person responsible for the quality assurance, the identification of outside resources (if necessary), and provision for feedback to the crewmembers;+>>

<<+3. File a report with the Department outlining all emergency response activities for that quarter. These quarterly reports shall be made on a form and in the manner specified by the Department (chapter Appendix D, incorporated herein by reference) and shall be delivered to OEMS on or before the due date. The reporting periods and due dates are as follows:+>>

Period	Due
January 1 through March 31	April 30
April 1 through June 30	July 31
July 1 through September 30	October 31
October 1 through December 31	January 31

<<+i. The Department shall keep the data on file and shall generate a yearly report

reflecting the activities of the providers. Yearly reports shall be available at OEMS for public inspection.+>>

<<+(f) A BLS ambulance service providing emergency response shall not:+>>

<<+1. Refuse or fail to respond to an emergency call or refuse or fail to provide emergency treatment and/or transportation to any person because of that person's race, sex, creed, national origin, sexual preference, age, disability, medical condition or ability to pay; or+>>

<<+2. Discontinue services without sending written notification to the Department at least 60 calendar days prior to the planned closure date.+>>

<<+SUBCHAPTER 7. SCOPE OF PRACTICE, ENFORCEMENT ACTIONS AND HEARINGS+>>

<< NJ ADC 8:40-7.1 >>

<<+8:40-7.1 Scope of practice for EMTs-Basic+>>

<<+(a) EMTs-Basic shall operate within their approved scope of practice.+>>

<<+(b) The following skills and procedures are within the approved scope of practice for an EMT-Basic:+>>

<<+1. Patient assessment, including vital signs and ongoing evaluation;+>>

<<+2. Pulmonary or cardiopulmonary resuscitation and foreign body airway obstruction management;+>>

<<+3. Oxygen administration;+>>

<<+4. Oropharyngeal or nasopharyngeal airway insertion;+>>

<<+5. Oropharyngeal and nasopharyngeal suctioning;+>>

<<+6. Assessment and management of cardiac, respiratory, diabetic shock, behavioral and heat/cold emergencies, for example, as prescribed within the National Standard Curriculum for EMTs-Basic;+>>

<<+7. Emergency treatment for bleeding, burns, poisoning, seizures, soft tissue injuries, chest-abdominal-pelvic injuries, muscle and bone injuries, eye injuries and childbirth (including care of the newborn), as prescribed within the National Standard Curriculum for EMTs-Basic;+>>

<<+8. Application of spinal immobilization devices and splinting materials, including traction splints;+>>

<<+9. Basic triage and basic maneuvers to gain access to the patient;+>>

<<+10. Patient lifting and moving techniques;+>>

<<+11. AED utilization;+>>

<<+12. Assisting an EMT-Paramedic, registered nurse or physician; and+>>

<<+13. Assisting a patient to administer drugs previously prescribed for that patient, limited to:+>>

<<+i. Prescribed metered dose inhaler;+>>

<<+ii. Sublingual nitroglycerin; or+>>

<<+iii. Epinephrine auto injector.+>>

<< NJ ADC 8:40-7.2 >>

<<+8:40-7.2 Enforcement actions+>>

<<+(a) An authorized representative of the Department may remove any or all of a provider's vehicles from service when, in his or her opinion, the vehicle, equipment or crewmembers pose an imminent threat to the health, safety or welfare of the public or to patients using the service. Removal of a vehicle from service shall be accomplished by placing an official Department "Out-of- Service" sticker on at least one of the vehicle's windows. Placement of a vehicle in DIOOS status may be done simultaneously with an action to suspend or revoke the provider's license and/or impose a monetary penalty.+>>

<<+1. For the purpose of this section, imminent threat may include, but is not limited to:+>>

<<+i. Serious and apparent automotive defects such as faulty brakes, exhaust system or tires;+>>

<<+ii. Serious and apparent equipment defects such as absent or faulty oxygen, resuscitation or aspiration equipment;+>>

<<+iii. Missing required equipment; and/or+>>

<<+iv. Lack of vehicle registration as issued by the New Jersey Division of Motor Vehicles, driver's license, proof of valid vehicle insurance and/or vehicle license as issued by the Department.+>>

<<+2. The provider shall immediately cease to utilize the vehicle(s) to provide any and all services once an official Department "Out-of-Service" sticker has been placed on the vehicle(s). The provider shall ensure that the "Out-of-Service" sticker is not removed from the vehicle, except as provided in (a)4 below.+>>

<<+3. The provider shall notify OEMS by telephone when it believes that a deficiency has been corrected. OEMS shall make arrangements to reinspect the vehicle in the field

within five business days.+>>

<<+4. The "Out-of-Service" sticker shall only be removed by an authorized representative of the Department, or by the provider when the provider has been given written authorization by the Department to do so, upon a finding that the applicable deficiencies have been corrected. Correction of deficiencies may include, but is not limited to:+>>

<<+i. The vehicle has been repaired or has successfully passed all tests conducted by the New Jersey Division of Motor Vehicles when there was an apparent automotive defect; or+>>

<<+ii. The equipment has been repaired or replaced when there was an apparent equipment defect.+>>

<<+(b) The Commissioner or his or her designee may summarily suspend the license of any provider when, in his or her opinion, the continued licensure of that provider poses an immediate or serious threat to the public health, safety or welfare.+>>

<<+1. A provider whose license has been summarily suspended shall have the right to apply for emergency relief, as provided for at N.J.A.C. 8:40- 7.3(a).+>>

<<+(c) Violation of any portion of this chapter by a provider may be cause for action against the provider, including but not limited to, suspension or revocation of a provider's license, a formal written warning, monetary penalty, placing the provider's vehicle in "Department-Initiated-Out-of-Service" (DIOOS) status, placing of conditions for continued operation by the provider and/or refusal to issue or renew a license.+>>

<<+1. No provider shall have any action taken against its license, excluding an emergent situation as described in (b) above, unless that provider has first been afforded an opportunity for a hearing in accordance with N.J.A.C. 8:40-7.3(b).+>>

<<+2. Any actions taken under this section shall be separate from any civil, criminal or other judicial proceeding, including actions against licenses of health care professionals issued by other departments or boards. All matters of professional misconduct shall be referred to the appropriate licensing boards, and all matters of a criminal nature shall be forwarded to the appropriate authorities for disposition. Action taken against a provider does not preclude any action that may be taken against an EMT-Basic for the same infraction.+>>

<<+(d) Action shall be taken to revoke a provider's license if any person with an ownership interest of five percent or more has been accepted into a pre-trial Intervention, conditional discharge or other diversionary program, or has been convicted of:+>>

<<+1. Medicare, Medicaid or insurance fraud (regardless of the amount of the monetary penalty, term of imprisonment or other penalty imposed);+>>

<<+2. Any crime;+>>

<<+3. Any disorderly persons offense; and/or+>>

<<+4. A petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.+>>

<<+(e) In accordance with N.J.S.A. 26:2H-14, the Department may impose monetary penalties for violation of any of the rules contained in this chapter, including, but not limited to, the violations noted below, as follows:+>>

<<+1. Actions that are the cause or proximate cause of injury to a patient, passenger, crewmember or other person (including, but not limited to, a pedestrian, police officer or other on-scene EMS personnel) shall result in a monetary penalty of \$2,500 for each injured person;+>>

<<+2. Actions involving the fraudulent procurement of licenses, certifications and/or other credentials, the filing of false reports or tampering with official or required records shall result in a monetary penalty of \$2,500 per violation. Such violations may also result in an action to revoke the provider's license. Further, the Department may refer the matter to any and all appropriate authorities for further investigation and prosecution;+>>

<<+3. Violations of any rule pertaining to minimum crewmember requirements, crewmember duties, crewmember training and/or certification requirements shall result in a monetary penalty of \$1,000 per violation/per calendar day;+>>

<<+4. Violations of any rule pertaining to patient, passenger and/or crewmember restraint or the safe transport of patients or passengers that do not result in injury, but have the potential to cause injury shall result in a monetary penalty of \$1,000 per violation/per calendar day;+>>

<<+5. Violations of any vehicle licensure requirements or utilization of a vehicle ordered or placed in DIOOS status shall result in a monetary penalty of \$1,000 per vehicle/per calendar day;+>>

<<+6. Destruction, distortion and/or removal of the "Out-of-Service" sticker from a vehicle that has not yet been placed back "in-service" by Department staff shall result in a monetary penalty of \$250.00 per calendar day;+>>

<<+7. Violations of the rules requiring portable oxygen and portable aspirator/suction devices shall result in a monetary penalty of \$1,000 per violation/per calendar day;+>>

<<+8. Violations of any notification requirements (for example, change of name, address, license plate number, vehicle identification number, trade name, etc.) shall result in a monetary penalty of \$250.00 per violation/per calendar day; and+>>

<<+9. Violations of the remaining portions of these rules may result in a monetary penalty of \$250.00 per violation/per calendar day.+>>



<<+(f) Violations shall be considered as a single, different occurrence for each calendar day the violation occurs or remains uncorrected.+>>

<<+(g) Subsequent violations of the same type that occur within one year of the previous violation shall, in accordance with N.J.S.A. 26:2H-14, be subject to incremental penalties.+>>

<<+(h) In the event a provider is in arrears of any monetary penalty or penalty greater than 60 calendar days, the Department may:+>>

<<+1. Refuse to issue any license or renewal;+>>

<<+2. Refer the delinquent account to the Office of the Attorney General for collection; and/or+>>

<<+3. Take such other action as authorized by law, including actions to suspend and/or revoke the provider's license.+>>

<< NJ ADC 8:40-7.3 >>

<<+8:40-7.3 Hearings+>>

<<+(a) A provider whose license has been summarily suspended shall, consistent with N.J.A.C. 1:1-12.6, have the right to apply to the Commissioner for emergency relief.+>>

<<+1. A request for emergency relief shall be submitted in writing and shall be accompanied by a response to the charges contained in the "Notice of Summary Suspension." Failure to submit such written notice shall result in the provider forfeiting all rights to emergency relief.+>>

<<+2. Requests for emergency relief shall be conducted in accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and Uniform Administrative Procedure Rules, N.J.A.C. 1:1.+>>

<<+(b) If the Department proposes to issue a formal written warning, assess a monetary penalty, suspend, revoke or refuse to issue or renew a license, the applicant or provider, as applicable, shall be afforded an opportunity for hearing at the New Jersey Office of Administrative Law to contest the proposed action.+>>

<<+1. All warnings, monetary assessments, suspensions and revocations shall become effective 30 calendar days after mailing of a notice of the proposed action unless the applicant or provider, within such 30-day period, gives written notice to the Department of its desire for a hearing. Failure to submit such written notice shall result in the applicant or provider, as applicable, forfeiting all rights to such a hearing.+>>

<<+i. Upon the filing of such written notice, the warning, assessment, suspension or revocation shall be held in abeyance until such time as the hearing has been concluded and a final decision has been rendered.+>>

<<+2. Refusals to issue or renew a license shall become effective immediately. In the event that an applicant or provider, as applicable, desires to contest the Department's

refusal to issue or renew a license, that applicant or provider shall give written notice to the Department within the 30-day period immediately following that refusal of its desire for a hearing. Failure to submit such written notice shall result in the applicant or provider, as applicable, forfeiting all rights to such a hearing.+>>

<<+i. In the event that an applicant or provider requests a hearing, the license shall not be issued or shall remain invalid, as applicable, until such time as the hearing has been concluded and a final decision has been rendered.+>>

<<+(c) The procedures governing all hearings shall be conducted in accordance with the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the New Jersey Uniform Administrative Procedure Rules, N.J.A.C. 1:1.+>>

<<+(d) All enforcement shall be considered public information and shall be posted on the OEMS website ([www.state.nj.us/health/ems](http://www.state.nj.us/health/ems)) as a public notice.+>>

<<+1. Monetary penalties, proposed probations, suspensions and revocations shall not be posted until the 30-day hearing request period has elapsed. Summary suspensions shall be posted immediately.+>>

<<+2. Once posted, enforcement actions shall remain on the OEMS website as follows:+>>

<<+i. Monetary penalties: One year from the date on which the notice is posted;+>>

<<+ii. Suspensions (Summary and Non-summary): One year from the date on which the notice is posted or for the duration of the suspension, whichever is greater; and+>>

<<+iii. Revocations: Permanently.+>>

<< NJ ADC 8:40-7.4 >>

<<+8:40-7.4 Action against an unlicensed entity+>>

<<+(a) Consistent with N.J.A.C. 8:40-5.1(b) and 6.1(b), no person, public or private institution, agency, entity, corporation or business concern shall provide MAV and/or BLS ambulance services in any form or manner within the State of New Jersey until licensed by the Department.+>>

<<+1. Upon notice or discovery that a person, public or private institution, agency, entity, corporation or business concern is providing MAV and/or BLS ambulance services without having first obtained the required provider and vehicle licenses, after revocation or suspension of a license previously issued by the Department or after having allowed an existing license to lapse, the Commissioner or his or her designee may issue an order directing the operation of the unlicensed service to immediately cease and desist.+>>

<<+i. Failure to comply with an order to cease and desist may result in an action by the Department for injunctive relief in the Superior Court of New Jersey.+>>

<<+ii. Orders to cease and desist shall be considered public information and shall be

posted on the OEMS website ([www.state.nj.us/health/ems](http://www.state.nj.us/health/ems)) as a public notice. Orders to cease and desist shall remain posted on the OEMS website permanently or until such time as a license is issued by the Department.+>>

<<+2. In addition to the issuance of an order to cease and desist, the Commissioner or his or her designee may:+>>

<<+i. Place a vehicle in DIOOS status and place an official Department "Out-of-Service" sticker on the window of any vehicle it knows or has reason to believe is being operated by any person, public or private institution, agency, entity, corporation or business concern that is not licensed to operate an MAV and/or BLS ambulance service in New Jersey. Utilization of the vehicle shall immediately cease once an "Out-of-Service" sticker has been placed on the vehicle. The "Out-of-Service" sticker shall not be removed except by an authorized representative of the Department upon the issuance of a provider license and a vehicle license;+>>

<<+ii. Impose a monetary penalty in the amount of \$1,000 per calendar day for each day that a service is found to have operated without a license. In addition, the Department may impose a penalty in the amount of \$1,000 per calendar day/per vehicle for each day that each unlicensed vehicle is utilized, as well as an additional \$250 per calendar day/per vehicle if the "Out-of-Service" sticker has been destroyed, distorted and/or removed from the vehicle; and/or+>>

<<+iii. Refuse to issue or renew any subsequent licenses.+>>

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